

with amendment (Rept. No. 1940). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRYSON: Committee on the Judiciary. S. 1877. An act to transfer Georgetown County, S. C., from the Florence division to the Charleston division of the eastern judicial district of South Carolina; without amendment (Rept. No. 1941). Referred to the House Calendar.

Mr. ALLEN of Louisiana: Committee on Immigration and Naturalization. H. R. 2549. A bill to reduce time to plead and to regulate service of process in proceedings to cancel naturalization, without amendment (Rept. No. 1942). Referred to the House Calendar.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 4571. A bill to grant a nonquota status to certain alien veterans and their wives; without amendment (Rept. No. 1943). Referred to the House Calendar.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. Interim report pursuant to House Resolution 52. Resolution authorizing an investigation and report on the merchant marine in overseas aviation (Rept. No. 1944). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Immigration and Naturalization. S. 556. An act for the relief of Pedro Jose Arrecochea; without amendment (Rept. No. 1935). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 4146. A bill for the relief of Filip Nicola Lazarevich; without amendment (Rept. No. 1936). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 2626. A bill for the relief of certain Basque aliens; without amendment (Rept. No. 1937). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JENKINS:

H. R. 5537. A bill to amend sections 1400 and 1410 of the Federal Insurance Contributions Act, as amended, so as to stabilize the present rate of tax on employees and employers; to the Committee on Ways and Means.

By Mr. SNYDER:

H. R. 5538. A bill to provide for the location, survey, and building of a system of superhighways, three east and west and six north and south highways; to the Committee on Roads.

By Mr. BLOOM:

H. J. Res. 317. Joint resolution recognizing the outstanding service rendered to the United Nations by Field Marshal Sir John Dill; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. PHILLIPS introduced a bill (H. R. 5539) for the relief of the Irvine Co., which was referred to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6210. By Mr. HART: Petition of the Jewish community of Jersey City, N. J., urging that the United States shall use its good offices and take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews in the country, and that there shall be free opportunity for colonization, so that the Jewish people may ultimately reconstitute Palestine as a free and democratic Jewish commonwealth; to the Committee on Foreign Affairs.

6211. By Mr. LAMBERTSON: Petition of J. E. Ramey, president, and 70 other members of the Townsend Club of Leavenworth, Kans., urging a hearing on the Townsend plan bill, H. R. 1649, with the least practical delay; to the Committee on Ways and Means.

6212. By Mr. WELCH: Resolution, No. 4307, of the Board of Supervisors of San Francisco memorializing the Congress and respectfully urging that the Hayden Federal-aid highways bill, after amendment to include a provision permitting acquisition of rights-of-way with moneys appropriated pursuant to such bill, be enacted into law and that in the event, for some reason, it is found impossible to comply with the foregoing request, this board of supervisors does respectfully urge immediate enactment of the Robinson Federal-aid highways bill; to the Committee on Roads.

6213. Also, resolution, No. 4308, of the Board of Supervisors of San Francisco, approving House bill 735 and respectfully memorializing the Finance Committee of the United States Senate urging the bill referred to be immediately reported out with a favorable recommendation; to the Committee on World War Veterans' Legislation.

6214. By the SPEAKER: Petition of the National Education Association of the United States, Washington, D. C., requesting that insofar as Federal income tax is not applied to the annuities of employees retired under the Railroad Retirement Act, old-age benefits paid under the Social Security Act, and benefits paid under the International Typographical Union, the same reasoning should provide similar exemptions for the pensions and annuities paid by public retirement systems to retired local and State employees; to the Committee on Ways and Means.

6215. Also, petition of the board of education, office of the principal, of the city of New York and the teachers of public school No. 17, Manhattan, petitioning the Congress of the United States to pass legislation granting income-tax exemptions on pensions or retirement annuities and further that Congress consider such tax exemption as a social legislation benefit; to the Committee on Ways and Means.

## SENATE

TUESDAY, NOVEMBER 28, 1944

(Legislative day of Tuesday, November 21, 1944)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

Rev. Howard Stone Anderson, D. D., pastor, First Congregational Church, Washington, D. C., offered the following prayer:

O Thou who art high and mighty and yet "closer to us than breathing and nearer than hands or feet," who art the maker of heaven and earth, the ruler of the destinies of all nations, before whose face the generations rise and pass and fall away, and yet who art so intimately concerned with us that Jesus taught we should think of Thee as our Heavenly Father, we pause at the begin-

ning of another session to acknowledge our dependence upon Thee and to ask Thy guidance for our lives and decisions.

We pray for those whom time has lifted into positions of authority, responsibility, and leadership. Give us all a quality of teachableness and humility which will enable us to think Thy thoughts after Thee and, at last, to accomplish Thy purposes. Strengthen the men and women in the armed forces for the hard tasks which are theirs to do, and grant that as we perform the unpleasant necessities of warfare we may do it without degrading ourselves with hate. Bring peace and strength to the wounded and comfort and consolation to those souls and homes to which death has come. Be with the prisoners—those in concentration camps and those who witness for conscience's sake.

As we enter the advent season and look on toward that star of hope which is mankind's promise of peace, grant that we may do so in the spirit of the Prince of Peace, even Jesus Christ our Lord. Amen.

#### THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, November 27, 1944, was dispensed with, and the Journal was approved.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1373. An act to authorize the Secretary of War to convey to the people of Puerto Rico for school purposes a certain building and lot known as the Mayaguez Barracks Military Reservation now under the jurisdiction of the War Department;

S. 1714. An act to reimburse certain Coast and Geodetic Survey and Marine Corps personnel for personal property lost or damaged as the result of a fire at the marine barracks, Quantico, Va., on December 16, 1943;

S. 1741. An act to provide for the reimbursement of certain Navy and civilian personnel for personal property lost as the result of a fire in hangar V-3 at the naval air station, Norfolk, Va., on November 12, 1942;

S. 1838. An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires in quarters occupied by naval construction battalions;

S. 1839. An act to provide for reimbursement of certain Navy personnel for personal property lost or damaged as the result of a fire in quarters at naval advance base depot, Port Hueneme, Calif., on February 6, 1944;

S. 1840. An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the bachelor officers' quarters, naval operating base, Argentina, Newfoundland, on January 12, 1943;

S. 1841. An act to provide for the reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire which occurred on the naval station, Tutuila, American Samoa, on October 20, 1943;

S. 1842. An act to reimburse certain Marine Corps personnel for personal property lost or damaged as the result of a fire at the marine barracks, naval supply depot, Bayonne, N. J., on April 25, 1943;

S. 1881. An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fire at the naval advance base depot, Port Hueneme, Calif., on January 12, 1944; and

S. 1964. An act to reimburse certain aviation cadets and former aviation cadets for property lost or damaged as the result of a fire at Carroll College, Helena, Mont., on January 8, 1944.

The message also announced that the House had passed the bill (S. 1795) to amend that portion of the act approved June 30, 1906 (34 Stat. 697, 750), authorizing the settlement of accounts of deceased officers and enlisted men of the Army, with an amendment in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2097) for the relief of W. J. Cox.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 2576. An act to confer jurisdiction upon the Court of Claims to determine and render judgment for any losses suffered by Duffy Bros., Inc.; and

H. R. 3000. An act for the relief of Clara E. Clark.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 330. An act to amend subsection 9 (a) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended;

H. R. 2832. An act to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals;

H. R. 3709. An act for the relief of Harley E. Carter;

H. R. 4311. An act to authorize the appointment of two additional Assistant Secretaries of State;

H. R. 4968. An act to amend section 511 (c) of the Merchant Marine Act, 1936, as amended, relative to deposit of vessel proceeds received from the United States in certain cases, and for other purposes;

H. R. 5331. An act to authorize the transfer of certain lands within the Colonial National Historical Park, Yorktown, Va., to the Secretary of the Navy;

H. R. 5408. An act to amend the Mustering-Out Payment Act of 1944, to provide a method for accomplishing certain mustering-out payments on behalf of mentally disabled veterans, and for other purposes;

H. R. 5493. An act to provide for the continuation on the active list of the Regular Army for the duration of any of the wars in which the United States is now engaged, and for 6 months thereafter, of any officer on the active list of the Regular Army who has served as Chief of Staff during the wars in which the United States is now engaged; and

H. R. 5494. An act to amend the act entitled "An act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties," approved December 16, 1940.

#### PETITION

As in legislative session,

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition

from Helen G. Gardner, of Los Angeles, Calif., praying for the enactment of the bill (S. 1882) to increase the compensation of employees in the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

#### CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Nye
Bankhead	Guffey	O'Mahoney
Bilbo	Gurney	Overton
Brooks	Hall	Radcliffe
Buck	Hatch	Reed
Eurton	Hayden	Revercomb
Bushfield	Hill	Reynolds
Butler	Holman	Robertson
Byrd	Jenner	Russell
Capper	Johnson, Calif.	Shipstead
Caraway	Johnson, Colo.	Stewart
Clark, Mo.	La Follette	Tunnell
Connally	Langer	Vandenberg
Cordon	Lucas	Wallgren
Danaher	McClellan	Walsh, Mass.
Davis	McFarland	Walsh, N. J.
Downey	McKellar	Weeks
Ellender	Maloney	Wheeler
Ferguson	Maybank	Wherry
George	Mead	White
Gerry	Millikin	Wiley
Gillette	Murray	Willis

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] and the Senator from Utah [Mr. MURDOCK] are detained on official business for the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Utah [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Kentucky [Mr. BARKLEY], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from West Virginia [Mr. KILGORE] are unavoidably detained.

The Senator from Kentucky [Mr. CHANDLER] is absent attending the funeral of a friend.

The Senator from Florida [Mr. PEPPER] is absent on important public business.

Mr. WHERRY. The following Senators are necessarily absent:

The Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Oklahoma [Mr. MOORE], the Senator from Iowa [Mr. WILSON], and the Senator from New Hampshire [Mr. TOBEY].

The Senator from Connecticut [Mr. DANAHY] is absent on important public business.

The Senator from Ohio [Mr. TAFT] is detained on official business.

The VICE PRESIDENT. Sixty-six Senators have answered to their names. A quorum is present.

#### NOMINATION OF GUY MASON TO BE COMMISSIONER OF THE DISTRICT OF COLUMBIA

The VICE PRESIDENT. The Senate has convened in executive session fol-

lowing a recess. The question is, Will the Senate advise and consent to the nomination of Guy Mason to be Commissioner of the District of Columbia? Under the order of yesterday, the Senate will proceed to vote on the nomination at not later than 2 o'clock.

Mr. BUSHFIELD. Mr. President, yesterday in executive session the reappointment of Guy Mason to be Commissioner of the District of Columbia was brought before the Senate for confirmation. I discussed briefly the reasons for my objection to the confirmation of the nomination of Commissioner Mason, but because there were so few Senators on the floor at the time I wish to repeat very briefly some of the things I mentioned yesterday.

I recall within the last few months that an American general when he landed his troops on one of the beachheads in Europe failed to take with him enough ammunition to protect the troops. That general was demoted and returned to this country where he is safely resting in peace, with no very large activities to occupy him. The head of a public institution who neglects his people, the people who are under his charge, should be treated in the same way, and I propose to show before I finish that Commissioner Mason is guilty of that kind of neglect, and does not merit the approval of the Members of the Senate.

In order to present this case to the Senate it is necessary for me to go back about 1 year. At that time a resolution was adopted by the Senate providing that an investigation be made of Gallinger Hospital in this city. Dr. E. A. Bocock was superintendent of the hospital. Dr. Calk was in charge of the tubercular ward. Dr. Gilbert was in charge of the psychopathic ward. Dr. Ruhland is the Health Officer of the District of Columbia. The Senator from Nevada [Mr. McCARRAN], who was then chairman of the Committee on the District of Columbia, submitted a resolution, and when it was adopted, named a subcommittee composed of the Senator from Oregon [Mr. HOLMAN], the Senator from Delaware [Mr. BUCK], and myself and directed us to make the investigation. The investigation was made upon charges signed by 150 patients in the tubercular ward at Gallinger Hospital.

The first move the subcommittee made was to visit the hospital. We found conditions there wholly unsatisfactory. We found in the tubercular ward a condition of filth and dirt that one would not expect to find in a modern hog house. We found conditions in the kitchen at Gallinger that were absolutely filthy. The floor was greasy and dirty. The work benches were covered with grease and cockroaches. The stoves on which the food for the patients of Gallinger Hospital was cooked were caked with black grease which had gathered through the months. We found kettles of food standing upon the stoves open to the flies, and there were myriads of them in that kitchen. There were dribbles of spaghetti and other foods hanging over the edges of the kettles. It was something that nauseated the members of your committee when we examined it. No



excuse was made for it except that Dr. Bocoock said at that time that the help was off that afternoon, and had not finished its work.

Mr. President, after that visit to the hospital the subcommittee decided that it was necessary to hold hearings upon this matter, and with the approval of the Senator from Nevada [Mr. McCARRAN], hearings were started, and they continued for many days. We asked everyone in the city of Washington who had anything to say to come forward and talk to us. There were no restrictions and no restraints placed upon witnesses. We asked for their story; and a sordid, nauseating story it was, Mr. President, of savagery, cruelty, and barbarity toward patients on the part of attendants and orderlies in that hospital—a story of neglect, indifference, and callousness on the part of some of the medical attendants, in the tubercular ward in particular. I wish to point out very briefly a few of the instances so that the exact language of the story may be before the Senate.

In the first place, before we started the investigation the Comptroller General of the United States had made an investigation of the financial set-up, and of the way in which the business of that hospital was handled. A report had been submitted to the Commissioners of the District about the 15th of July, setting forth the irregularities found at that hospital; and there were many of them.

There was a great deal of petty thievery in the hospital. Attendants, helpers, and employees carried away large quantities of food. One employee carried away a whole set of hardware to outfit a motor launch on the river. Others carried away other things. Dr. Bocoock was charged in that report with having supplied his own car with gasoline and oil from the hospital garage. He was also charged with furnishing his own kitchens, both at his home and on his farm in Virginia, with food from the hospital kitchen. Other employees were charged with similar offenses.

As I say, the report by the Comptroller General of the United States was turned over to the Commissioners in July 1943. Mr. Mason, one of the Commissioners, who has served since 1941, was a Commissioner at that time. He testified before our committee that the report was turned over by the Commissioners to the district attorney, but he said that he himself had not made any investigation. He said in substance that he had no intention of making an investigation of those charges until after our committee had finished its investigation.

Mr. President, Gallinger Hospital is one of the important institutions of the city of Washington. Hundreds of citizens of the District of Columbia take refuge there for treatment, help, and care by the officials and employees of the hospital. For the most part they are poor people. Sixty percent of them are colored and 40 percent white. Those poor people are entitled to humane treatment, decent food, and decent care while they are in that institution. They have a right to rely upon such care. They did

not get it, and so far as I know they are not getting it now.

By agreement among the three Commissioners, Mr. Mason had exclusive and sole jurisdiction of Gallinger Hospital. He was responsible for that institution, and for what went on there, as was, also, Dr. Ruhland, as health officer of the District of Columbia. I maintain that the record which I hold in my hand shows that Mr. Mason absolutely failed in performing his official duty, and that is why I oppose confirmation of his nomination.

I wish to invite the attention of the Senate to a few things which were disclosed in the hearing in the testimony of the witnesses themselves, but first of all I wish to read to the Senate from the report of your committee which was submitted in due time to the full committee. I read from page 7 of the report:

We recommend the immediate removal of Commissioner Guy Mason, because of his complete failure to perform the duties of his job in supervising Gallinger Municipal Hospital.

We recommend the removal of Dr. George C. Ruhland, because of his failure as health officer of this district to know and prevent a continuance of the conditions described in this report as existing at Gallinger Municipal Hospital.

We recommend the removal of Supt. Dr. Edgar A. Bocoock. This investigation has convinced your committee that he is unsuited to the job of superintending an institution as large and varied as Gallinger Municipal Hospital.

We recommend the removal of Dr. Joseph L. Gilbert, because he has not displayed an attitude of sympathetic understanding for the patients coming within his jurisdiction and seems to your committee temperamentally unfitted for the position he now holds.

We recommend the dismissal of Dr. Charles P. Cake, in charge of the tubercular ward, because he has permitted an atmosphere of callousness, indifference, and neglect of patients to pervade that ward.

Mr. President, I wish to take up briefly the tubercular ward. Approximately 200 patients, residents of this city, are confined in that ward. Your committee found the quality and quantity of food supplied those patients to be insufficient, and below the proper standards. We found cockroaches and ants cooked in the food. We found dirty bathrooms and corridors. We found in that ward windows which apparently had not been washed for a year or more. The bath tubs were black and grimy. Some of the witnesses said that all the patients had to drink out of one cup, a porcelain cup which was broken and cracked; and yet, mind you, Mr. President, those were tubercular patients, suffering from a most communicable disease. But the citizens of this city were subjected to that kind of treatment.

In the psychopathic ward attendants were brutal, cruel, indifferent, and callous to the welfare and health of the patients in that ward.

Mr. President, the recommendations of the subcommittee should be carried out to the last letter. Every one of the five men I have named should be dismissed from his position. To repeat, that is why I oppose the confirmation of the nomination of Commissioner Mason.

I wish to read a few brief extracts from the testimony of some of the witnesses in this case. Let me say for the information of the Senate that Dr. Bocoock and Dr. Cake resigned very shortly after the investigation. We still have on our hands Dr. Gilbert, Dr. Ruhland, the health officer, and Commissioner Mason.

Mr. L. C. Moss, an elderly man, who had been a citizen of Washington for 7 years, testified that he became a patient at Gallinger in April 1942, and was there for 1 week. He had had a minor operation. He arrived at the hospital about 3 or 4 o'clock in the afternoon. He took off his clothes and got into bed under direction. He stated:

I asked for a pillow and they refused to give me one. There was no pajamas and no nightgowns. About 10 or 11 o'clock I began to feel things, itch, biting, so I scratched them and in about an hour I knew there was something wrong, and I called a nurse in and she looked on my neck and there were welts on my body as big as my fingernail, and I said, "This room has bedbugs or lice in it, or something, and I can't sleep; I can't stay in here." She went out and brought me back four tablets and told me to take them and I said, "What are they for?" She said, "To make you go to sleep." I said, "No, I ain't going to take them and be let up." And she said, "Very well," and she went out and so I got up in about an hour and wrapped a sheet around me and went out in the hall and sat down in the hall. I saw the things that were biting me. I raked them off my hand. They were lice.

Mr. BUCK. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. BUCK. Let me inquire of the Senator whether the person whose testimony the Senator has been quoting is an employee of that public building.

Mr. BUSHFIELD. He is not an employee of that building, but is an employee of another public building near there.

Mr. BUCK. Is he a Government employee?

Mr. BUSHFIELD. He is, and has been a Government employee for 7 years.

Mr. President, I now wish to quote from the testimony of the witness Harry Lym Paris:

I was on Work Projects Administration rolls in 1932 and 1933 and assigned to work at Gallinger Hospital in the laboratory of Dr. Harrison Loffler. I was then transferred to the pharmacy under Dr. Charles West. I remained there until 1939. I gave Dr. West \$50 on the promise that he would get me a job with the hospital. Dr. West asked for more money and I paid him \$25 more on the promise to get me a job of \$1,260 a year.

During my work in the drug room I was instructed to take various packages and deposit in Dr. West's private automobile. These packages contained drugs and medicines of various kinds. I was also requested by Dr. West to take gallon bottles of chocolate sirup from the drug room and place them in his private car. Other employees during my time did likewise for West's car.

Under similar instructions from West I have taken alcohol from the drug room and placed it in the radiator of private individuals' automobiles—Pike, Smothers, West, Roane, Bocoock, Files, and Kuhn. Doctors' prescriptions prescribing whisky for patients

were often filled by mixtures of rye extract, alcohol, and distilled water. This mixture only contained 1 pint of whisky to 7 pints of other liquids.

The inference is, Mr. President, that the whisky in those bottles was taken out by someone employed at Gallinger Hospital, and the poor patients who received prescriptions for whisky were fed this mixture of alcohol and water.

One witness testified that it was useless to complain about property being stolen from Gallinger Hospital because no one was ever prosecuted there.

Eliza Smith testified:

I worked at Gallinger Hospital between 1930 and 1940. Part of my work was taking care of Dr. Bocock's private car. I washed it every Wednesday and waxed it about once a month. About two times each month while I was washing Dr. Bocock's car, an employee, a white man, brought a container of motor oil and put it in the engine of Dr. Bocock's car.

David Gorman, who was an orderly at that hospital, testified as follows:

I have been employed as an orderly in Gallinger Hospital since July 1940. I have seen food taken from the kitchen by kitchen employees. This consisted of dressed chickens, sides of bacon, and hams. Some of the food was taken home by the employees, and some sold.

There is stated in this record a long list, Mr. President, of petty thievery similar to what I have recited. It is only because I feel sure that many Members of the Senate have not read this record that I take the time of the Senate to refer to it again.

I wish to call attention to the testimony of Bertha M. Morton, another witness before the committee. She said that on July 26, 1943, she entered her son William H. Morton, in Gallinger Hospital as a patient for observation. She saw him first thereafter on the evening of the 28th. He was clothed in old, ragged clothes and had the appearance of being completely crushed with despair. I read from her testimony:

He told me he had had no drinking water for some time as the ice had given out. I went for a drink for him and found an old-fashioned ice cooler in which the ice was dropped into the water, and it had a spigot. On top of the cooler was a porcelain cup, completely rusty inside.

I complained about the drinking cups and wrote a letter to Dr. Gilbert. The following Sunday I found 2 cups instead of 1. There were about 30 patients at that time. I tried to talk to Dr. Gilbert and had to talk with him as he walked down the hall. He would not stop.

I appealed to Dr. Piroutti to have my son removed to St. Elizabeths. The doctor said nothing could be done about it, that Dr. Gilbert was in charge and what he said went. Dr. Piroutti told me that my son was in bad condition when he was entered. This is not true. They placed him in a highly disturbed ward and he was there for a month in an environment which was highly detrimental to his nerves. He lost 13 pounds in weight during that month.

One of the inmates tried to strangle my son.

The patients in the tubercular ward saw all the dead people hauled by their windows. The attendants speak of the dead people as "stiffs" in front of the patients. On the same floor are the sick, crying babies.

The wife of a retired scientist in the District of Columbia characterized Dr. Gilbert as being rough and harsh. I read from her testimony:

The attendants in the psychopathic ward are a very inferior group, noisy, low in intelligence and unskilled. A physician told me that patients from the psychopathic ward of Gallinger arrived at St. Elizabeths in such a state of exhaustion that sometimes a week passed before the patient was in a condition to respond to any treatment.

When I took my husband to Gallinger, the interviewing nurse asked my husband to sit by her desk so that she could ask him some questions. I was horrified at two of the questions and I noticed the crushing effect they had on my husband. The questions were: Have you ever tried to kill yourself? Have you ever tried to kill anyone else?

I asked to be conducted through the ward after my husband was taken to his room. I was refused admission until the following Sunday, and then for only 15 minutes.

When I told Dr. Silverman I would like to give him my husband's case history, he walked away without speaking, and the nurse told me that the doctor had no time for case histories and for consultation, and continued with her own work.

When I said I thought it was terrible to expect a patient's relatives to be satisfied to leave him in a place where information as to surroundings and treatment was refused, the nurse nonchalantly said, "Oh, they just give them a bath and put them to bed."

I called at 7 in the evening to ask about my husband's condition. I was told he was all right and not to worry. The next day I found that at that time he was strapped to the bed. The next morning I called at 9:45 and was told my husband was critically ill. I asked Dr. Ruhland to permit me to transfer my husband away from there. Dr. Gilbert told me it was unwise for me to move my husband, and I, therefore, acceded to his advice. He told me I could see my husband at brief periods. I asked him to get two more nurses immediately for whom I would pay.

After consultation with our own doctor I decided to take my husband away from Gallinger. Upon arrival at the hospital about 2 in the afternoon I was aghast at the change in my husband's appearance since I left him the preceding day. His lips were so parched that the outer layer of skin had separated. I called for some water. My husband drank two cups without stopping. His arms were chained to the sides of the bed. His ankles were bound together with a sheet, and the spread on the bed was tied down tightly on all four corners. An attendant told me my husband had been so chained and tied since the preceding afternoon. When I succeeded in getting an attendant to unchain my husband's arm and untie a sheet, I found a soiled piece of gauze under one of the arm bands, which I was told by an attendant had been placed there the preceding day. My husband's arms and ankles were rubbed raw, and three blisters had burst. The same attendant told me that my husband had yelled a lot during the night. I asked for oil to rub on my husband's arms and ankles, but I did not get it.

Dr. Ella Oppenheimer testified before the committee, and also submitted a report to Dr. Ruhland as follows:

The conditions in the new-born nursery are unfit and overcrowded. Diarrhea has developed in well babies in this nursery. On the fourth and fifth floors, cribs are too closely crowded together. There was a shortage of diapers and they have to use bags or anything available for diapers. At that time a Work Projects Administration worker or a student nurse did breast work on the fifth floor mothers.

An open mesh package of clean diapers was on the premature nursery floor.

The maternity floors are badly crowded. The labor floor is overcrowded. Two beds in one labor room. This does not provide adequate facilities for delivery of clean cases.

Dr. Daniel Secklinger, assistant health officer, notified Dr. Bocock in a written memorandum that unsanitary conditions existed in the diet kitchen of the TB building.

I have before me the testimony of a soldier, Sergeant Kane. He introduced a letter which he had just received from a young lady who was a patient at Gallinger. In the letter she said:

I just finished eating dinner. I am sitting up in a chair right now. I have a new doctor looking after my side and he doesn't hurt me. Friday I was still asleep in the morning, when the head nurse came in and started fussing at me because all that was in the paper and asked why I didn't tell her instead of you. There was a roach on my breakfast tray this morning. I couldn't eat any dinner Friday. Then the nurse, the one that was on when you were here, came in and bawled me out and made me lose my supper. Every night since, when she comes in, she yells at me—I wish I had a father. It takes a night nurse a half an hour to come when I call her. She just won't come.

The witness, George W. Buchanan, testified as follows:

Because I broke the rules out at Gallinger I was made to stay in lukewarm running water in a tub with no attendant for 4 hours. While thus confined, I had to use the toilet. The attendant ordered me to let my bowels move in the tub. I disobeyed and went to the toilet. I was seized by attendants with a sheet wrapped around my neck and under my arms and tied to the head of the tub. My left wrist was tied with a sheet which was run under the tub and tied to the right wrist, and both ankles were tied so that my body was above and did not rest on the hammock of the tub. I finally managed to wiggle my right wrist from these bands and an orderly came in cursing me and said, "This time I will tie you so you won't get out." They retied me and my calls finally brought Dr. Silverman, who ordered me untied, but not released from punishment. My wrists and ankles were tied so tightly that my arms and legs became swollen and began bleeding. The orderly paid no attention to my calls for help.

A sheet was thrown over the top of the tub to cover me up. The sheet finally soaked up the water and went into the drain plugging it. The water was over my mouth and was overflowing the tub onto the floor. Dr. Silverman ordered me untied.

Dr. Gilbert put some antiseptic on my infected wrists and ankles. I was then taken, naked, to a solitary room without clothing, blanket, or anything. It was so cold in there that I had to hop around and pat my body all night. No one answered my call to close the window or give me any covering. In the morning the orderly who released me told me if I reported that he left the window open at night I would get the same tie-up and solitary that I had had the day before.

Mr. President, Mr. R. A. Seelig, who was private secretary to our honored companion and colleague, the former Senator Bone, came before the committee and testified that he visited the hospital. He found the food to be insufficient in amount, poor in quality, and unfit for consumption by tubercular patients. He stated that he found conditions in the hospital very depressing,



with every condition working against the care of patients. He further stated that the food was so poor that patients lost weight unless they obtained food from the outside. No effort was made to feed patients who were too weak to feed themselves. He also said that some patients died from starvation as much as from tuberculosis.

This is the testimony of a woman patient at Gallinger Hospital:

My face was not washed twice while I was there, and then it was dried on the pillow case. My hair was not combed. It reminded me of a concentration camp of war prisoners.

Frank Rolston was one of the witnesses before the committee. He had a nervous break-down in May 1940 and was admitted to the Gallinger Hospital. He was strapped to his bed, both feet and hands. A sheet twisted into a rope was put across his chest under his arms and tied to the head of the bed. Two attendants, named Scott and Kohler, during the time this witness was tied, used his stomach as a punching bag. This happened several times. On another occasion Scott pushed his thumbs into the witness' eyes until he became unconscious.

The witness was sent to St. Elizabeths 10 days later. He was black and blue all over, with two black eyes. He was released from St. Elizabeths in August and has never been ill since.

Mr. Jones and Mr. Williams submitted a statement in writing concerning the truck used at Gallinger. They stated:

The same truck used at Gallinger to haul dead bodies from the different wards is used to haul food to the tubercular building. The same truck is also used to haul cooked food around the grounds to the different wards. Also the same truck is used to haul butchered hogs.

In connection with those hogs, Mr. President, allow me to remind the Senate that the testimony developed the startling fact that Gallinger Hospital raised hogs and fed them garbage from the various wards of the hospital, including garbage from the tubercular ward. The hogs were fed in a little hog house not far from the hospital. The garbage was all hauled to the hog house. The testimony of investigators for the food department of the District showed that the door of the house was left open, and millions of flies had gathered around the garbage, which had been scattered over the ground at Gallinger. The hogs were butchered and in turn fed to the hospital patients.

A registered nurse testified that the hospital was filthy and sordid at that time. She reported it to the hospital supervisor and was answered as follows:

These conditions have always existed at Gallinger and probably always will. These things have been reported. There was nothing done about it.

She testified further:

I worked in municipal tubercular institutions from New York to California and I was appalled at conditions at Gallinger. The food served was cold and unseasoned. Most of it went back into the garbage.

Rats and large flying roaches were numerous. One night I counted six large rats jump

out of one basket. Nurses often heard a patient scream in the night and found one of the flying roaches had landed on him.

Neither orderlies nor nurses were instructed in the sanitary and safe disposal procedure of blood from lung hemorrhages.

I complained of the uncovered sputum boxes. Nothing was done about them, although many flies were in the ward all summer.

Orderlies were insulting to nurses. I asked one nurse why she didn't report to Dr. Bocock an insulting orderly, colored. She replied, "The nurses have stopped reporting. The reports usually end up in the nurses being in the wrong."

Edith B. Good, another woman who went to the hospital, stated:

I went over to Gallinger the other evening to donate blood. I noticed the sloppiness of the room and the attendants. The bed I was told to lie on was used by the three people ahead of me. The linen was filthy. I have never seen a dirtier pillow slip. The attendants went from person to person without washing hands between operations. A friend of mine had a similar experience at Gallinger several months ago.

Mr. G. V. C. Houghland was one of the witnesses. He submitted his statement in writing, in which he said:

I was a former patient at Gallinger, suffering from a nervous break-down. Bad conditions there impressed me as being everything to make a patient bad instead of better. Meals unplanned; nurses and doctors uninterested in the patients; no medical care was given me while I was there; we were thrown together with colored patients in the same ward. I was refused a release until I employed a lawyer to force my release.

Dr. Ruhland, the health officer of the District of Columbia, when he was on the stand, testified in part as follows:

Senator BUSHFIELD. Do you mean to say you have been feeding the garbage from the tubercular ward to the hogs that you fed back to the patients out there?

Dr. RUHLAND. That has been the practice out there, we found.

Senator BUSHFIELD. Well, "we found." You are the health officer of this District; it is kind of up to you to know about that.

Dr. RUHLAND. Undoubtedly we are trying to inform ourselves as completely as we can on the various things, but there are a good many problems outside of that institution.

Indicating complete indifference, complete callousness on the part of the health officer of this District to the hundreds of poor people of the city of Washington who are patients at Gallinger Hospital.

Richard J. Carroll and Glenn B. Smitley, food inspectors of the District, submitted a report to Dr. Bocock, the head of the institution, in which they said:

Supply department: Weevils in Indian corn, rats also, as well as in rolled oats, pea beans, and rice. Some bags were broken open by rats.

Toilets: Toilets across from the main kitchen are inadequate and filthy. Floors, walls, ceiling, and commodes dirty. Only two commodes in each toilet. These toilets are used by the laundry help, kitchen help, orderlies, and public drivers.

Garbage conditions: Doors in garbage shed were open at time of inspection. Garbage cans uncovered, some leaking, stagnant water around, cornhusks on the ground. Numerous green flies around the garbage.

Main kitchen and special diet kitchen: Roaches on shelves, cabinets, meat block, and in cracks between equipment and walls. Roaches in closet in dishwashing room. Weevils in pinto beans in storeroom. Cooking equipment was clean but inadequate.

Nurses cafeteria: Roaches in pantry, on steam table, and racks in back of counter.

Tuberculosis Building: Roaches in diet kitchen between walls and equipment. Walls dirty. Stairway halls in the building are damp and the paint chipped.

Isolation ward: Walls and ceiling dirty in diet kitchen.

Diet kitchen: Utensils are hand washed and put through machine. The utensils are set on trays on tray conveyor. No sterilizer.

Margaret A. Golden was one of the witnesses in this case. She testified in writing that her mother, age 75 years, was taken to Gallinger on June 30, 1943, and an examination revealed the fact that she had tuberculosis, and she was transferred to that ward. She complained bitterly of the bad food and the unhealthy and sordid conditions there and implored "me to bring her home." She was nervous and upset and finally her condition developed into hysteria but was diagnosed as insanity, so they removed her to the psychopathic ward. The manner of her removal was brutal—her body showed bruises from the handling she received. This woman was 75 years of age, and weighs less than a 100 pounds, and could not have, under any conditions, become violent or dangerous. She spent 5 days in the psychopathic ward, which Miss Golden describes as a filthy place swarming with flies, in a bed at the end of the ward surrounded by beds with soiled mattresses. Miss Golden continues:

It is my fondest hope that the investigation will result in an early and complete change for the betterment of that institution.

James John O'Brien was a disabled war veteran. Here is what he says:

On September 29 I was strapped to the bed by a brutal nigger and choked unmercifully by him. Dr. Gilbert paid no attention to my protests.

I shall not take the time of the Senate to continue reading further from the testimony, but there are cases of women patients, disrobed, stripped naked, placed in solitary rooms without furniture, without toilet or bathroom equipment of any kind, and kept there for hours on end. This is in the face of the fact that Dr. Gilbert, the head of that department, testified on the stand that such methods did not constitute the accustomed and acknowledged treatment in the hospitals of the country over.

Mr. President, should the people of the city of Washington be subjected to these horrible and uncalled for conditions in Gallinger Hospital? The point I am trying to make is that Mr. Mason, Commissioner of this District, with sole jurisdiction over that hospital for a period of 2 years at that time testified that he went there occasionally to see the hospital. My guess is that Mr. Mason was never in the hospital except when he went to see Dr. Bocock or some other

department head. He could not have gone there, Mr. President, without knowing the filthy, unhealthy, unsanitary conditions that prevailed throughout the hospital. I say that that hospital and Mr. Mason's neglect of it, he having sole jurisdiction of it, constitute a disgrace not only to him but to the people of Washington and to the Congress.

Mr. President, the committee called Mr. Mason as a witness. We asked him to testify. He refused to testify. He defied the committee and said he wanted his answer to appear in that way. He said he had not been to the hospital for a month although these complaints were flying thick and fast when I returned to Washington in September 1943. I say, Mr. President and Senators, that Guy Mason, by his callous neglect, and by his unaccountability, has proved himself to be an unfit person to serve as Commissioner of this District. If no one else has a word to say about it, I want to say that the people of this city do not deserve the kind of treatment which has been accorded them at Gallinger Hospital, no matter how poor they may be. Guy Mason should be dismissed, Dr. Ruhland should be dismissed, and Dr. Gilbert should be dismissed.

I hope the Members of the Senate will decline to confirm this nomination. I feel sure in my own mind that if the President, who makes these appointments, had had the time in his busy life to read the record in this case he would not have reappointed Guy Mason to this position, because the President does not approve the sort of thing the testimony shows has been going on at Gallinger Hospital.

Mr. O'MAHONEY. Mr. President, I would not venture to take the time of the Senate upon the pending matter if it were not for the fact that I happen to be chairman of the subcommittee of the Committee on Appropriations which deals with the appropriations for the District of Columbia.

Let me say, first of all, that I think the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Delaware [Mr. BUCK], the Senator from Oregon [Mr. HOLMAN] and the senior Senator from Nevada [Mr. McCARRAN] have done most excellent work in the investigation which the subcommittee carried on into the affairs at Gallinger Hospital. I think the work of that committee has resulted in so arousing sentiment not only in the District of Columbia, but in the Congress, that we shall very soon have a correction of the deplorable conditions which have existed in the Gallinger Hospital by the authorization of a new hospital. The District needs a new hospital.

Mr. President, there can be no doubt that the Gallinger Hospital has been neglected and that the conditions in that hospital are altogether unworthy of the capital of a great nation; but it would be a mistake to assume that the responsibility for these conditions lies upon the shoulders of Commissioner Guy Mason. The responsibility lies upon the Congress, and as a member of the Committee on Appropriations I have no hesitation in saying so, because for a period of 5 years during which I have served upon the Dis-

trict of Columbia Appropriations Subcommittee I have seen the recommendations of the District Commissioners, including Commissioner Mason, for the improvement of Gallinger Hospital, persistently and consistently rejected by the Congress.

Not only is that a fact, Mr. President, but even after the recent investigation, which made it quite clear that there should be an additional staff at Gallinger Hospital, and that there should be an improvement in the directing facilities of the hospital, the Senate Committee on Appropriations recommended an appropriation increasing the salary of the head of that institution; it was recommended by the District Commissioners and it was recommended by the Health Department; but, unfortunately, although the Senate committee agreed to the increase in salary which I proposed as chairman of the subcommittee, it was impossible finally to secure it.

Mr. BAILEY. Mr. President—  
The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Wyoming yield to the Senator from North Carolina?

Mr. O'MAHONEY. I yield.

Mr. BAILEY. I am proceeding on the assumption that there was no answer to the accusation that Mr. Mason refused to appear before a committee of the Senate and testify. That was alleged by the Senator from South Dakota.

Mr. O'MAHONEY. I shall speak of that. I was not a member of that committee.

Mr. BUSHFIELD. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. BUSHFIELD. I know the distinguished Senator from Wyoming is aware of it, but I wish to call the attention of the Senate to the fact that the appropriations made for Gallinger Hospital during the years 1936 to 1944, inclusive, were almost to the dollar exactly what the Bureau of the Budget recommended.

Mr. O'MAHONEY. Mr. President, there is a difference between what the Bureau of the Budget recommends and what the Commissioners request. Many times in the past the Bureau of the Budget, like the Congress, has rejected the requests of the Commissioners. I have here a table showing the Commissioners' requests for Gallinger Hospital, the number of employees requested, and the congressional allowance in each case. Beginning in 1939 the Commissioners requested an appropriation of \$210,260 for Gallinger Hospital, with an authorization to employ 74 new employees. The congressional appropriation allowed only \$14,600, and an increase of only 7 employees.

In 1940 the Commissioners requested \$445,200, and 196 new employees. Congress granted an appropriation of \$89,380 and additional employees numbering 92.

In 1941 the Commissioners' request was for \$429,260, and for 141 new employees. Congress allowed \$88,180 and 67 new employees.

In 1942 the request was for \$90,600, with 49 new employees. Congress al-

lowed only \$59,900 and 33 new employees.

In 1943 the request was for \$186,597, with 28 new employees. Congress allowed only \$131,420 and 15 new employees.

In 1944 the request was for \$62,280 and nine new employees. What was granted was \$45,000 with two new employees.

The total for 6 years of the Commissioners' requests was \$1,424,757. The total congressional allowance was \$428,560. Again I say the requests of the Commissioners and Budget estimates must not be confused.

So I say, Mr. President, Congress cannot avoid its share of the responsibility for the conditions which have existed in the Gallinger Hospital.

I am glad the investigation took place. I think it will result in very much better conditions, and I know from my own personal association with Commissioner Mason, who has appeared on innumerable occasions before the Subcommittee on Appropriations of which I am chairman, that he has been very much aware of the conditions at Gallinger Hospital, and that he wanted to correct them.

I suspect that the incident in the committee when Commissioner Mason declined to answer certain questions was merely one of those developments of which we have all been witnesses at one time or another, when tempers rise a little in the heat of an investigation or examination; but I am satisfied that there never was any intent or purpose upon the part of Commissioner Mason to decline to work with the Senate or with any committee of the Senate. As a matter of fact, I am advised that later he made an apology for his statements before the committee.

The facts as I see them are that Commissioner Mason has been a most excellent and industrious Commissioner. He has given his time without stint to the position he occupies. He is a man who is known to a great many Members of the Senate, and known only as possessing the very best character and reputation.

Mr. President, I have before me a letter which I received from Mr. David Babb, secretary of the Federation of Citizens' Associations of the District of Columbia. He says:

By direction of the Federation of Citizens' Associations of the District of Columbia, I am transmitting herewith a copy of a report relating to the Gallinger Hospital situation, which was adopted by the federation at its recent meeting, for your information and consideration.

Then there appears this report, which I shall not read, but which I ask to have made a part of the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERATION OF CITIZENS' ASSOCIATIONS  
OF THE DISTRICT OF COLUMBIA,  
Washington, D. C., November 6, 1943.

SUBJECT: GALLINGER HOSPITAL—REPORT OF  
PUBLIC HEALTH COMMITTEE, FEDERATION OF  
CITIZENS' ASSOCIATIONS

Recently a United States Senate committee investigated this institution and brought in



a critical report. Some of their findings were justifiable, but there is much to be said in commendation of Gallinger Hospital. In this report your committee shall state conditions at that institution based on personal observation and, with some of us, with knowledge of many years.

Let us look at the history of this municipal project: About 70 years ago it was started in a wooden building to house the poor and sick of our residents and sojourners. From time to time new buildings were constructed, long after the need developed. There were not enough appropriations for maintenance or construction of new buildings. Today Gallinger Hospital has a daily average of over 1,000 patients.

The buildings and facilities are inadequate for the patient population. The particular needs are a larger kitchen, a larger laundry, and a psychopathic ward. The present kitchen was constructed in 1929 for accommodation of 300 patients. Now there is need for three times that number. Stoves, refrigerators, and storage space for food are inadequate. They prepare 4,500 meals daily, using 24 Ford trucks three times a day to deliver the food to different buildings. The menu is well balanced and tastily served. Special diets are supervised by a competent dietitian. The meal carts are nickel-plated and closed securely so as not to be contaminated when carried to the patients; also, soiled dishes are thus returned to the kitchen. The laundry is small and lacking in equipment. A new and larger building is needed at once. Even with this handicap, soiled linen is thoroughly laundered and returned to the hospital in a sanitary condition. The laundry is operated 24 hours a day to meet the increased demand for that service. The present psychopathic ward is inadequate, and additional facilities should be provided for caring for mental cases.

Last week the management started moving T. B. cases into the new T. B. annex. Those who are well enough are moved to Glenn Dale Sanatorium. This report deals principally with the need of more buildings, equipment, and personnel for Gallinger Hospital.

A word as to the management would not be amiss. No one could manage so large an institution without some criticism. The records speak for themselves. They admit 50 patients a day. Besides, many patients are treated daily in the clinics. The death rate is lower than in all other municipal hospitals except the Massachusetts General in Boston. Eleven percent of all births in the District of Columbia are at Gallinger Hospital, with a record of 2,240 births and only 2 maternity deaths in 1942.

#### RECOMMENDATIONS

1. Gallinger Hospital today needs more appropriations to keep in step with the growing population of Washington, D. C., indigent sick. The immediate need is for a building to house a larger kitchen; one for a larger laundry, and a new building for the psychopathic ward. It is requested that funds be allocated from the Lanham Act and that priorities be granted for the installation of the materials needed.

2. The appointment of two assistant superintendents—one in charge of personnel, one as general manager of the buildings, preferably an engineer. Also, more adequate compensation for all employees.

3. The appointment of a visiting staff composed of three members to be named by the District of Columbia Commissioners. This staff to be composed of a physician, businessman, and a member of a welfare organization—to be volunteers and not in the employ of the District of Columbia or Federal Governments. They are to visit Gallinger Hospital at least once a month and make a report to the District of Columbia Commissioners.

In closing, would report that the medical staff is composed of teachers of medicine representing Georgetown and George Washington Medical Schools who are rendering efficient health education. No better medical service could be rendered, in view of limited facilities, no matter what fee was paid. All this is done in spite of lack of buildings and facilities. We emphatically recommend that the old original wooden buildings that are now being evacuated by the T. B. cases be razed before some excuse is given to have them occupied again.

Your public health committee met in special session November 4, 1943, and is submitting this report with the following:

*Resolved*, That copies of this report be sent to the Appropriations Committee of the United States Senate and House of Representatives, and the Commissioners, the health officer, and the Medical Society of the District of Columbia.

Respectfully submitted.

Charles B. Campbell, M. D., chairman;  
Mrs. Mary C. Nold, secretary; William A. Duval; C. C. Clem; Dr. Lyndon F. Kehler; Emil E. Chapman; Joseph H. Deckman; Dr. O. G. Hall; Dr. Vincent B. Norelli; Fred S. Walker, supervisor.

Mr. O'MAHONEY. Mr. President, in summary, the report reviews the conditions which exist and the conditions which have existed in the Gallinger Hospital. It recognizes the value of the report which was made by the special committee, and finds that some at least of the conclusions of the report are altogether justified.

Mr. President, I have trespassed upon the time of the Senate merely because I felt that I owed it to the Senate to let it know that the Congress itself has not made the appropriations for the Gallinger Hospital which were requested by the Commissioners, and I feel that the situation which has existed at Gallinger should not be used as a reason for refusing to confirm Commissioner Mason, whose services in every other respect are beyond criticism.

Mr. President, I ask unanimous consent that there also be printed as part of my remarks the summary from which I have been reading.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

#### Gallinger appropriations

Year	Commissioner's request		Congressional allowance	
	Funds requested	Employees requested (new)	Funds received	Employees received
1939	\$210,260	74	\$14,600	7
1940	445,200	196	89,350	92
1941	429,260	141	88,180	67
1942	90,000	49	59,900	33
1943	186,597	28	131,420	15
1944	62,840	9	45,000	2
Total, 6 years	1,424,757	497	428,560	206

#### PROGRESS AT GALLINGER

1937: Transferred to Health Department.  
1938: Crippled children's clinic service instituted. Five full-time chief resident physicians appointed.

1940: Two hundred and seventy-six new beds in the medical building, 226 in the TB building, 38 in the nurses' home.

1942: Cardiac unit opened. Maintained standards set by American College of Surgeons, including eye, ear, nose, and throat work. Hospital approved by American College of Surgeons and American Board of Orthopedics for training in 1-year course in orthopedic surgery.

1943: Again approved by American College of Surgeons. Thirty-eight new beds for nurses, 38 new beds for interns; new maternity ward, 126 beds for mothers, 143 for infants; first 50-bed rapid-treatment venereal-disease unit in the city opened.

Mr. BURTON obtained the floor.

Mr. BUCK. Mr. President, will the Senator yield to me?

Mr. BURTON. I yield.

Mr. BUCK. Mr. President, as a member of the subcommittee which investigated the Gallinger Hospital, I wish to certify to the unbelievably bad conditions that prevailed there at the time we made the inspection. The one I feel to be chiefly responsible for those conditions has been removed. He was the superintendent. However, Commissioner Mason, who, I am told, was assigned by his colleagues to take charge of and be responsible for the hospital, must share in the responsibility for the conditions that prevailed there at the time the Senate committee inspected that public institution.

When we called upon Commissioner Mason to testify, he defied the committee and refused to answer any of our questions. He was asked why he declined to talk, and his answer I quote from the record:

Because I am not going to interfere with your investigation and come back and be charged with covering up stuff. I know what these investigations are. I have been around for 40 years.

Just what he meant by those remarks each Senator must infer individually. I think that he sadly neglected his duty as a Commissioner of the District. I support the Senator from South Dakota [Mr. BUSHFIELD] in the recommendation he has made that the nomination of Mr. Mason for another term be not confirmed.

Mr. HOLMAN. Mr. President, will the Senator from Ohio yield to me, or does the Senator prefer that I speak after he has spoken?

Mr. BURTON. No; I am very glad to yield to the Senator so he may speak now.

Mr. HOLMAN. Mr. President, I was chairman of the subcommittee which made the report which the Senator from South Dakota [Mr. BUSHFIELD] has so ably presented to the Senate, and which the Senator from Delaware [Mr. BUCK] has substantiated and approved. I verify and support with all the sincerity and vigor of which I am capable the presentation made to this body by the able Senator from South Dakota.

All the money in the world will not put the milk of human kindness and common decency and cleanliness into any human being if he does not naturally possess it. The responsibility for the deplorable administration prior to the investigation made by the subcommittee rests solely and fundamentally upon the Commissioners of the District of Columbia, who had assigned the particular

piece of administration in question to Commissioner Mason, and he had accepted it.

Mr. President, no person who has the love of his fellow man at heart could visit and view the heartless conditions, the filthy conditions, the even dishonest conditions which were maintained over a long period of time at Gallinger Hospital, without making a most vigorous attempt to correct them, not simply a perfunctory attempt by reading reports of subordinates or making a half-hearted plea before the Bureau of the Budget; and, mind you, this bad condition at this miserable hospital had its genesis in the executive branch of the Government.

Mr. President, it should not be the duty of a committee of the Senate to do the work for which the Commissioners of the District of Columbia are paid but which they do not perform. I am convinced that the Commissioners of the District consider, as possibly does the appointive power, the job of Commissioner of the District of Columbia to be merely that of a political sinecure and the reward for favorable publicity to the appointing power.

If the Senate confirms the appointment of Commissioner Guy Mason it places its stamp of approval, in my opinion, upon as bad a piece of administration as I have ever witnessed, and I have had years of experience in my own State in an executive capacity of administering penal and eleemosynary institutions. Such action by the Senate also, it seems to me, would place the stamp of disapproval on the findings of the subcommittee and the unanimous opinion of that committee.

Mr. President, there is a constant cry throughout the District of Columbia for a better form of government for the District.

For forms of government let fools contest;  
Whate'er is best administer'd is best.

We can change the form of government, we can pass all the appropriation bills we want to, but so long as we have Guy Mason and individuals of his kind administering the affairs of this District Gallinger Hospital scandals will continue.

Coincident with the report of the Senate committee and its findings with respect to Gallinger Hospital—and I have no doubt other committees investigating other items of administration of the District of Columbia would find similar conditions existing—reforms have taken place, resignations took place, and today the conditions at Gallinger Hospital are improved over what they were when the committee made its findings and submitted its report. They would have been improved if the Commissioners of the District had been diligent in the performance of their duties and, if they had been intelligent and honest in the discharge of their duties, there would never have been any necessity for the committee to have been appointed or to have done its work.

I sustain, support, and verify the statements and recommendations of my two colleagues, the able Senator from South Dakota and the able Senator from Delaware.

Mr. BURTON. Mr. President, this is an extraordinary case, bringing into question the confirmation of the nomination for reappointment to the office of Commissioner of the District of Columbia of a man who has served for 3 years in that office, and we are asked to confirm him in the face of a condemnatory report unanimously rendered by a subcommittee of the Senate appointed to investigate the Gallinger Hospital, which hospital was primarily under his general jurisdiction as the Commissioner assigned to that particular work.

That report demonstrates that the nomination should not be confirmed. The case goes back to the appointment of the subcommittee by the then chairman of the Committee on the District of Columbia, the Senator from Nevada [Mr. McCARRAN], who asked the three Senators who have just spoken to the Senate to make an investigation. It seems to me that the Senate owes to the Senator from Nevada and to those three Senators an obligation to act upon their recommendations in the absence of controverting testimony of any kind. There has been no controverting testimony to offset this charge of extraordinary administrative neglect, which in any other city of this Nation would bring about a change of administration by election of the people. That cannot be done in this city because the people have no authority to vote on it. We are the only ones who can act. We can act by voting for confirmation or refusing confirmation of this appointive officer, who holds one of the three chief-executive positions in the District of Columbia.

In this instance the investigating committee is one of outstanding and extraordinary competence for this particular work. Any city in America would be glad to have the services of three such distinguished and experienced administrators in making such an investigation. The chairman of the subcommittee, the Senator from Oregon [Mr. HOLMAN], who has just spoken, before he came to the Senate served as a member, and chairman, of the Multnomah County, Oreg., Board of Commissioners, which has charge of similar or larger institutions in that State. Furthermore, for 8 years he was a member of the Oregon State Board of Control, consisting of the Governor, the secretary of state, and the State treasurer. This board had charge of the administration of all the State penal and eleemosynary institutions, with a population of more than 6,000 inmates. The Senator from Oregon, therefore, has had large experience of an administrative character in that field.

The Senator from South Dakota [Mr. BUSHFIELD], who addressed the Senate today, has served as Governor of South Dakota, and is well versed and experienced in administrative responsibility.

The Senator from Delaware [Mr. BUCK], who spoke to the Senate a moment ago, served two full terms, or 8 years, as the Governor of Delaware. He was the first Governor of Delaware to serve two full terms. He has had long executive experience.

Those three Senators were highly competent to determine how best to cure

administrative neglect. They recommended changes in the administrative leadership of the hospital which have been made, and they also recommend that the nomination of this Commissioner be not confirmed, in the light of his administration and supervision.

Not only have those three distinguished investigators so recommended, which should be enough, I believe, for any city in America, or for anybody appointing them, to act upon; but the then chairman of the Committee on the District of Columbia, the Senator from Nevada [Mr. McCARRAN] from the other side of the aisle, who appointed them and asked them to conduct this investigation for him, has taken the same position on this matter. He is not now present, but I quote from his statement made on the floor of the Senate on September 20, 1944, as follows:

When the renomination of Commissioner Mason comes before the Senate I shall make it a point, if I am then a Member of this body, to be present, and to oppose with all my strength confirmation of the nomination of Mr. Mason. My reason for that attitude is Mr. Mason's conduct before the Committee on the District of Columbia when he practically scoffed at the idea of giving any statement, explanatory or otherwise, pertaining to a public institution over which he had control.

The Senator from Nevada has been delayed in returning to the Senate. I understand, however, that he has sent a message to the Senate indicating that he wishes to be recorded as against the confirmation of the nomination of Mr. Mason.

I speak, not as a member of the subcommittee, but as a member of the full Committee on the District of Columbia. I well remember when the report of the subcommittee came before the full committee. It was an extraordinary report, which set forth an example of administrative neglect which is outstanding, not only in the history of this city, but in the history of the Nation. At that time it was clear that the committee might have some influence upon the continuance in office of those immediately responsible in the hospital, and changes have been made there. It was also clear that neither the committee nor the Senate had any right to remove from office a Commissioner of the District of Columbia, even though he might be guilty of neglect in his supervision of welfare institutions. It was, however, pointed out in the discussions in the committee that in the event Mr. Mason were nominated for reappointment to that position for another 3 years, the committee owed a duty to the Senate to lay before the Senate its conclusions and recommendations.

For that reason I join in the recommendation of the subcommittee, and urge that the Senate not confirm this nomination. It is not a question of removal from office. It is a question of confirmation of an appointment to continue in office for a new term. If an election were being held for mayor of the city of Washington, this question would be typical of the questions which would come up for debate among the people of Washington. The people of Washington cannot vote on the question. We



have the responsibility of curing the results of administrative neglect. If we fail to recognize a report of this kind, we are failing in our duty under the Constitution to do our full duty to the District of Columbia. It seems to me that the Senate owes a duty to recognize this report of the subcommittee and of the chairman of the committee in this particular matter.

I wish to make two further points, one relating to appropriations. I appreciate the statements by the Senator from Wyoming [Mr. O'MAHONEY], chairman of the subcommittee on appropriations dealing with the District of Columbia. I

am also a member of that subcommittee. I find from the report that there is no justification for the condition at Gallinger Hospital based upon the appropriations which have been made, as contrasted with the recommendations of the Commissioners. I ask unanimous consent to have printed in the RECORD at this point a table which appears at page 33 of the report of the subcommittee, and which sets forth the Budget estimates and appropriations for Gallinger Municipal Hospital.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Gallinger Municipal Hospital—Budget estimates and appropriations*

Year	Superintendent of hospital	Board of Public Welfare or Health Officer	Commissioners	Bureau of the Budget	Approved by House of Representatives	Final appropriation act
1936	\$1,588,642	\$1,588,642	\$655,020	\$631,400		\$631,400
1937	844,580	849,580	705,850	679,230		679,230
1938	646,180	880,370	739,450	746,060		743,660
1939	953,620	953,620	825,540	833,380		800,300
1940	1,245,560	1,245,560	918,180	899,340	\$906,940	899,440
1941	1,310,700	1,310,700	1,006,960	996,740	981,600	1,003,440
1942	1,535,220	1,535,200	1,333,120	1,333,120	1,227,820	1,323,775
1943	1,445,882	1,445,082	1,378,045	1,378,045	1,377,327	<sup>1</sup> 1,381,547
1944	1,426,987	1,426,987	1,401,207	1,401,207	1,393,807	<sup>2</sup> 1,396,207

<sup>1</sup> A deficiency appropriation of \$6,800 was made to meet increased cost of personal services in addition to this.

<sup>2</sup> Supplemental appropriation to be requested to meet overtime for current fiscal year.

Mr. BURTON. Mr. President, I wish to refer to these important figures. For the past 3 years, the 3 years during which Mr. Mason has served as a member of the Board of Commissioners, the Commissioners received, in appropriations under the final appropriation act, almost the same amount which they had requested.

Beginning with 1944, and using round figures, the Commissioners asked for \$1,401,000. They received \$1,396,000, or \$5,000 less. In 1943 the Commissioners asked for \$1,378,000. They received \$1,381,000, or \$3,000 more than they requested.

In 1942, the first of the 3 years of Mr. Mason's term, the Commissioners asked for \$1,333,000. They received \$1,323,000, or only \$10,000 less.

Going back of that period, in 1941, they asked for \$1,006,000. They received \$1,003,000, or \$3,000 less.

In 1940, they asked for \$918,000. They received \$899,000, or \$19,000 less.

In 1939, they asked for \$825,000. They received \$800,000, or \$25,000 less.

In 1938, they asked for \$739,000. They received \$743,000, or \$4,000 more.

In 1937 they asked for \$705,000. They received \$679,000, or \$26,000 less.

In 1936 they asked for \$655,000. They received \$631,000, or \$24,000 less.

It seems to me that that record is sufficient to indicate that there is no justification for any statement by the Commissioner that the failure to provide adequate funds is due to acts of Congress rather than the recommendations of the Commissioners with respect to this hospital.

Senators have heard the report of the subcommittee indicating the conditions in that hospital, which is a poor people's hospital. It is the place in this community where people go when they cannot afford to pay hospital bills. Those people

need defense from the Senate, and the only way to cure serious administrative neglect is to change the administrator. It cannot be done by legislation. It can be done by putting in a new administrator. I believe it is vital that the Senate have before it a statement of the material testimony of Mr. Mason before the subcommittee on this particular matter. I, therefore, take the time again to read to the Senate these statements, which are the ones upon which I believe the Senator from Nevada based his emphatic recommendation, as set forth in the statement from him which I have just read. This hearing was on September 30, 1943. The Senator from South Dakota [Mr. BUSHFIELD] asked Mr. Mason:

Did you make any attempt yourself to investigate the charges made by the Comptroller General?

Mr. MASON. I did not, and advised against our doing so until the district attorney had finished.

Senator BUSHFIELD. Well, the presence of dirt or filth in Gallinger would not necessarily come under the district attorney.

Mr. MASON. That was not a part of the Comptroller General's report.

Senator BUSHFIELD. I beg to differ with you, Mr. Mason; it is very definitely in there. You have heard these various witnesses this week?

Mr. MASON. I have.

Senator BUSHFIELD. Testify about the dirt out there?

Mr. MASON. I have, and I have no comment to make until the hearing is over and until the district attorney has passed on it.

Senator BUSHFIELD. Then you decline to make any statement?

Mr. MASON. I decline to make any statement about it.

Senator BUSHFIELD (to the official reporter). You have that in the record, have you?

OFFICIAL REPORTER. Yes, Senator Bushfield. Mr. MASON. Please do.

Senator BUSHFIELD. When did you go to Gallinger last?

Mr. MASON. Well, I think I went out with a newspaperman in August of this year.

Senator BUSHFIELD. That was the last time you have been there?

Mr. MASON. Yes, sir.

Senator BUSHFIELD. And you knew that there were charges being made by patients and by former patients and by some former employees as to the sanitary conditions out there; did you not?

Mr. MASON. I did not.

Senator BUSHFIELD. When did you first learn of it?

Mr. MASON. Newspaper accounts in September, after they had been submitted to Senator McCARRAN.

Senator BUSHFIELD. But you have not been out there since you learned of it?

Mr. MASON. No, sir.

Senator BUSHFIELD. Why not?

Mr. MASON. Because we got the report in July from the Comptroller General's office, and the minute that Senator McCARRAN got the report he determined on a public hearing, and we thought we would wait and let the hearing develop.

Senator BUSHFIELD. And now you decline—

Mr. MASON (interposing). And we are going to wait on that.

Senator BUSHFIELD. Do you want the people of this city to understand that is your attitude?

Mr. MASON. Definitely.

Senator BUSHFIELD. And that you decline to talk about it?

Mr. MASON. I definitely want that understanding about it.

Senator BUCK. You had the report how long?

Mr. MASON. Four days when it was transmitted to the district attorney.

Senator BUCK. And how long before Senator McCARRAN got it?

Mr. MASON. Senator McCARRAN got his report some time in September; I don't know when. We are waiting on the United States attorney now for his report.

I may interject that means from July to September.

I continue to read from the hearings:

Senator BUSHFIELD. Well, he does not have anything to do with the cleanliness out there; does he?

Mr. MASON. He has nothing to do with it except what is in his report. We did not get the report on the cleanliness until it appeared in the newspapers. That was our first intimation after it had been submitted to Senator McCARRAN.

Senator BUSHFIELD. That is your primary responsibility?

Mr. MASON. Not necessarily.

Senator BUSHFIELD. You are the Commissioner in charge of that hospital?

Mr. MASON. All right.

Senator BUSHFIELD. You have made no effort to ascertain sanitary conditions there since these charges were made?

Mr. MASON. Because it was already exposed in the newspapers and in the hands of this committee, and I knew the committee would make an investigation, because it had been ordered, and I did not want to interfere with this committee's functions in any way or to make any attempt to correct things so that it might be said it was being covered up.

Senator BUSHFIELD. And you know what the sanitary conditions are?

Mr. MASON. I do; from this testimony and from our own inspectors, and when this investigation is completed we will take all action requisite under the circumstances.

Senator BUSHFIELD. Well, I guess that is the end of the road, Senator; the man declines to talk.

Have you any questions?

Senator BUCK. I might ask Mr. Mason why he declines to talk.

Mr. MASON. Because I am not going to interfere with your investigation and come back and be charged with trying to cover up stuff. I know what these investigations are; I have been around here for 40 years.

Senator BUCK. You have the advantage of us; we have just come to Washington.

Mr. MASON. They get an investigation in July and recommend something, and then the next July we go to the Appropriation Committee and we don't get what we ask for.

Mr. President, I believe that under those circumstances, unless the findings of the subcommittee are adequately answered and are shown to be unfounded, we owe a duty to the subcommittee and to the Senator who was chairman of the committee at that time to support the recommendations against the confirmation of this nomination.

Furthermore, it seems to me that we have here an example of a case in which the District of Columbia is unable to meet this situation itself. We owe a duty to the residents of the District of Columbia to see to it that if a case of administrative neglect such as this arises, we will recognize it and will take a stand on it, through the investigation of our subcommittee, and will back up that subcommittee. That is the only way the people of this community can be protected against administrative neglect.

Mr. President, the testimony indicates to me a bureaucratic carelessness and neglect of the Gallinger Hospital which is inexcusable. It is the duty of the Senate to see to it, when the nomination is placed before it, that it does not ratify and support that kind of administration. The least we can do is to make sure, when we are asked to act on a nomination of this kind, that we act on the testimony which is before the committee and the subcommittee and that we back up their position, and thus protect the people of the District of Columbia.

Mr. WALSH of New Jersey. Mr. President, I have known Guy Mason for 10 years. I have always considered him to be a man of impeccable character and decidedly superior executive ability. He is extremely popular with the people of the District of Columbia.

The chairman of the Committee on the District of Columbia, the able senior Senator from Mississippi [Mr. BILBO] appointed me chairman of a subcommittee to consider the nomination of Mr. Mason. On the subcommittee also were the distinguished senior Senator from Kansas [Mr. CAPPER] and the distinguished senior Senator from Maryland [Mr. TYDINGS], whose judgment and integrity were well known to the Members of the Senate long before I had the honor of serving here.

Before calling a meeting of my subcommittee, I carefully studied the report on Gallinger Hospital, although newspapers many months before had given me most of the gory details. When my subcommittee met, we well realized that when the matter reached the floor of the Senate, lice, cockroaches, and bodies of strangled women would, figuratively, be

strewn all over the place. Yet our careful consideration of the matter prompted us to report unanimously and favorably the nomination of Mr. Mason.

Mr. BURTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DOWNEY in the chair). Does the Senator from New Jersey yield to the Senator from Ohio?

Mr. WALSH of New Jersey. I yield.

Mr. BURTON. Let me inquire whom the subcommittee had before it as witnesses.

Mr. WALSH of New Jersey. I will come to that, if the Senator will be patient.

Mr. President, the appointment by the Senator from Mississippi [Mr. BILBO] of a subcommittee was widely publicized in the daily press in the city of Washington. Yet, I, as chairman of that subcommittee, received only one adverse report and that was by an anonymous telephone call. The person making the telephone call positively refused to give his name.

On the other hand, I received numberless telephone calls from leading Washington citizens enthusiastically endorsing Mr. Mason.

Endorsements of most of the civic organizations of Washington were already in the files of the Committee on the District of Columbia when our subcommittee was formed. Among the endorsements which I personally received was one from 9,000 property owners. That organization desired to bring thousands of witnesses before the subcommittee in Mr. Mason's behalf. That is one reason why no public hearings were held. We knew that the thousands of Washingtonians eager to appear in Mr. Mason's behalf would cause the hearings to drag on for weeks and months. That, I say to the Senator from Ohio, was the reason why we heard no outside witnesses.

Mr. BURTON. Mr. President, I merely wish to inquire what witnesses the subcommittee did have before it.

Mr. WALSH of New Jersey. We had no witnesses before our subcommittee.

Mr. BURTON. Not even the Senator from South Dakota [Mr. BUSHFIELD] or the Senator from Delaware [Mr. BUCK]?

Mr. WALSH of New Jersey. We did not invite the Senator from South Dakota [Mr. BUSHFIELD], although I am sure he knew that such a subcommittee had been formed, and he attended the meeting of the full committee when the nomination was reported favorably. But, unfortunately, he arrived after such action had been taken.

Mr. BURTON. Let me inquire whether the subcommittee had Commissioner Mason before it.

Mr. WALSH of New Jersey. Yes; the subcommittee had Mr. Mason before it.

Although the eminent minority leader, the distinguished senior Senator from Maine [Mr. WHITE], for whom I have such unqualified admiration, stated yesterday that he did not consider that glowing editorials from newspapers or endorsements of most of the civic organizations had any relevancy in this case, I must confess that such tributes, added

to the enthusiasm of my distinguished colleagues, the Senator from Kansas [Mr. CAPPER] and the Senator from Maryland [Mr. TYDINGS], and added to my own high appraisal of Mr. Mason's qualities, influenced me very much.

Mr. Mason appears to be the choice of the people of Washington.

I cannot give Mr. Mason a high mark for his tact when he appeared before the subcommittee headed by the distinguished senior Senator from Oregon [Mr. HOLMAN]. At that time Mr. Mason lost his temper. I am informed that subsequently he apologized, and did so in writing. Mr. Mason has told me that his unwillingness to testify in connection with Gallinger Hospital conditions before the subcommittee headed by the senior Senator from Oregon was due to the fact that the District Attorney was investigating the matter at the time, and he was afraid that any testimony by him might be interpreted as an effort to cover up. Among other things, Mr. Mason is a lawyer.

In endorsing Mr. Mason, one large organization stated that the citizens of Washington believed Mr. Mason had performed a difficult job under arduous conditions. Perhaps busy Mr. Mason relied too much on the doctors in charge of the Health Department and the hospital. But is it not interesting that after Dr. Bocock had been attacked and resigned he was immediately employed as superintendent of Doctors' Hospital, which is considered to be the best hospital in the Nation's Capital?

Mr. Mason has gone through the trying and sad experience of the Gallinger investigation. Is he the type of man who will endeavor to prevent a repetition of whatever was wrong? I honestly believe that he is that type of man, and I am informed that he has already instituted corrective measures.

Mr. President, I would rather take a chance and vote for the confirmation of the nomination of Mr. Mason, who has received the endorsements of the people of Washington who have lived under his administration, than vote for some new nominee who might be without experience but might arrive with glowing promises and a new broom. I therefore urge the confirmation of the nomination of Mr. Mason.

SEVERAL SENATORS. Vote! Vote!

Mr. BILBO. Mr. President, I wish to repeat only a small part of the statement made yesterday, for the purpose of emphasis, and to invite attention to what has occurred in this case.

Under a Democratic administration the District of Columbia Committee is composed of nine Democrats and six Republicans. While the matter involved is not a partisan one, yet the Senator from Nevada [Mr. MCCARRAN], in appointing a subcommittee to make an investigation of Gallinger Hospital, saw fit to appoint three Republicans and no Democrats. However, in the decision to recommend the appointment of Mr. Mason no partisan line was drawn. Both Republicans and Democrats have endorsed the confirmation. I have endeavored to ascertain the vote of the committee and it is my understanding



that the vote was about 9 to 4, or at a ratio of more than 2 to 1.

Mr. President, it has been said on the floor of the Senate that the opinions of the newspapers in Washington, as well as of all the civic bodies—I believe there are approximately 70 of them—would not affect or influence certain Senators. I believe I am best qualified to make that statement, but I shall not make it. I would not make it because it would not be true so far as I am concerned. The people of the District of Columbia do not have the right to vote. They cannot select their officers. They are dependent on the President and the Senate in the selection of three men to have charge of the civic affairs of the District of Columbia. But the people of the District of Columbia have a way in which they may express their judgment and preference. They register such expression through approximately 70 civic organizations within the District. When their interests are involved they do not hesitate to adopt resolutions and pass upon the questions which come before the Senate for action.

As has been stated by the Senator from Nebraska, 70 organizations in the District have endorsed the nomination of Mr. Mason. The committee has recommended his confirmation, and four newspapers of Washington, as I understand, have endorsed Mr. Mason, notwithstanding the fact that he is a Democrat appointed by a Democratic President. Considering those facts, it seems to me that Mr. Mason stands very highly.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. WHERRY. Was not the Senator from Mississippi in error when he stated that the Senator from Nebraska had said that 70 organizations in the District had endorsed Mr. Mason, and did not the Senator refer to the senior Senator from Kansas who made the statement on the floor of the Senate yesterday?

Mr. BILBO. Mr. President, the Senator from Nebraska is correct. I thank him for the correction. The Senator who made the statement to which I referred was the senior Senator from Kansas [Mr. CAPPER].

Mr. President, in view of the recommendation by the press of the city of Washington, and of 70 civic organizations of the District of Columbia, as well as the subcommittee of the District of Columbia Committee, and the full committee, I submit that Mr. Mason is qualified and deserves the confirmation by the Senate of his nomination to be Commissioner of the District of Columbia. I believe that such action on the part of the Senate would conform to the wishes of all the civic organizations in the city, as well as of the press of the city of Washington.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. BUSHFIELD. Mr. President, I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Gurney	Overton
Bankhead	Hall	Radcliffe
Bilbo	Hatch	Reed
Buck	Hayden	Revercomb
Burton	Hill	Reynolds
Bushfield	Holman	Robertson
Butler	Jenner	Russell
Byrd	Johnson, Calif.	Shipstead
Capper	Johnson, Colo.	Stewart
Caraway	La Follette	Tunnell
Clark, Mo.	Langer	Vandenberg
Cordon	Lucas	Wallgren
Danaher	McClellan	Walsh, Mass.
Davis	McFarland	Walsh, N. J.
Downey	McKellar	Weeks
Eastland	Maloney	Wheeler
Ellender	Maybank	Wherry
Ferguson	Mead	White
George	Millikin	Wiley
Gillette	Murray	Willis
Green	Nye	
Guffey	O'Mahoney	

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present.

The question is, Will the Senate advise and consent to the nomination of Guy Mason to be Commissioner of the District of Columbia? On this question the yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. WHITE (when Mr. BARKLEY's name was called). On this question I have a pair with the distinguished majority leader (Mr. BARKLEY). I understand that if he were present he would vote "yea." If permitted to vote, I would vote "nay."

Mr. LA FOLLETTE (when his name was called). On this vote I have a pair with the senior Senator from Texas (Mr. CONNALLY), who is temporarily absent from the Chamber. I am advised that if the senior Senator from Texas were present he would vote "yea," while, if permitted to vote, I would vote "nay."

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. I understand that if present he would vote "yea." If I were permitted to vote, I would vote "nay."

Mr. VANDENBERG (when his name was called). On this vote I am paired with the Senator from Missouri [Mr. TRUMAN]. I understand that if present he would vote "yea." If permitted to vote I would vote "nay."

The roll call was concluded.

Mr. DAVIS (after having voted in the negative). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I understand that if he were present he would vote "yea." I transfer that pair to the senior Senator from New Jersey [Mr. HAWKES], who if present would vote "nay." Therefore I will let my vote stand.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "yea."

The Senator from Kentucky [Mr. CHANDLER] is absent attending the funeral of a friend. I am advised that if present and voting, he would vote "yea."

The Senator from Florida [Mr. PEPPER] is absent on important public business. I am advised that if present and voting, he would vote "yea."

The Senator from Kentucky [Mr. BARKLEY], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from West Virginia [Mr. KILGORE] are unavoidably detained. I am advised that if present and voting, the Senator from Kentucky [Mr. BARKLEY] and the Senator from West Virginia [Mr. KILGORE] would vote "yea." I am not advised how the Senator from New Mexico would vote.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Idaho [Mr. CLARK], the Senator from Texas [Mr. CONNALLY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Texas [Mr. O'DANIEL], the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent. I am advised that if present and voting, the Senator from Florida [Mr. ANDREWS], the Senator from Idaho [Mr. CLARK], the Senator from Texas [Mr. CONNALLY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] would vote "yea."

The Senator from Utah [Mr. MURDOCK] and the Senators from Nevada [Mr. MCCARRAN and Mr. SCRUGHAM] are detained on official business for the Senate. I am advised that if present and voting the junior Senator from Nevada [Mr. SCRUGHAM] would vote "yea." I am not advised how the Senator from Utah would vote.

The Senator from Maryland [Mr. TYDINGS] is paired with the Senator from Nevada [Mr. MCCARRAN]. I am advised that if present and voting the Senator from Maryland would vote "yea," and the Senator from Nevada would vote "nay."

Mr. WHERRY. The Senator from Vermont [Mr. AUSTIN] is detained in a committee meeting.

The Senator from Ohio [Mr. TAFT] is detained on official business.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent. He has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Minnesota [Mr. BALL], the Senator from Maine [Mr. BREWSTER], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from Idaho [Mr. THOMAS] is unavoidably detained.

The result was announced—yeas 39, nays 20, as follows:

#### YEAS—39

Bankhead	Hatch	O'Mahoney
Bilbo	Hayden	Overton
Byrd	Hill	Radcliffe
Capper	Johnson, Colo.	Reynolds
Caraway	Lucas	Russell
Clark, Mo.	McClellan	Shipstead
Downey	McFarland	Stewart
Ellender	McKellar	Tunnell
George	Maloney	Wallgren
Gerry	Maybank	Walsh, Mass.
Gillette	Mead	Walsh, N. J.
Green	Murray	Wheeler
Hall	Nye	Willis

## NAYS—20

Aiken	Davis	Millikin
Buck	Ferguson	Revercomb
Burton	Guffey	Robertson
Bushfield	Gurney	Weeks
Butler	Holman	Wherry
Cordon	Jenner	Wiley
Danaher	Johnson, Calif.	

## NOT VOTING—36

Andrews	Eastland	Scrugham
Austin	Glass	Taft
Bailey	Hawkes	Thomas, Idaho
Ball	Kilgore	Thomas, Okla.
Barkley	La Follette	Thomas, Utah
Brewster	Langer	Tobey
Bridges	McCarran	Truman
Brooks	Moore	Trydings
Chandler	Murdock	Vandenberg
Chavez	O'Daniel	Wagner
Clark, Idaho	Pepper	White
Connally	Reed	Wilson

So the nomination of Guy Mason to be Commissioner of the District of Columbia was confirmed.

## LEGISLATIVE SESSION

Mr. HILL. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## MISSOURI VALLEY AUTHORITY

The PRESIDING OFFICER (Mr. DOWNEY in the chair). The Chair lays before the Senate a communication dated November 27, 1944, from the President of the United States relating to the creation of a Missouri Valley Authority, with accompanying papers, which will be read.

The communication was read by the legislative clerk.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the communication from the President, together with the enclosure, be printed at length in the RECORD. The enclosure, as I understand, was the integrated report of the Army engineers and the Bureau of Reclamation which has heretofore been printed as Senate Document No. 274.

The PRESIDING OFFICER. Is there objection?

There being no objection; the communication and report were ordered to be printed in the RECORD, as follows:

## THE WHITE HOUSE,

Washington, November 27, 1944.

The PRESIDENT OF THE SENATE:

SIR: On September 21, 1944, I sent a message to the Congress recommending the creation of a Missouri Valley Authority that would be charged with the duty of preparing and carrying out a single coordinated plan for the development of the Missouri River Basin for the greatest benefit of its citizens, both present and future, and for the greatest benefit to the United States. At that time there was under consideration by the Congress two reports, the one presented by the Corps of Engineers, the other by the Bureau of Reclamation, which, while presenting comprehensive plans for the development of the Missouri River, were in conflict in many details. The two bureaus have reconciled the technical differences in these two reports and have prepared a joint recommendation which, in conjunction with the two reports, constitutes a basic plan

for the development and control of the waters of the Missouri River.

This joint plan represents a beginning in the solution of the problems of the Missouri Valley. But it is only a beginning, for other important matters not within the scope of this joint report bear very materially upon the entire region. As a practical matter, most of these cannot be dealt with by conference and agreement among the 10 States directly involved working with separate Federal agencies, for the delay in getting action would be too great to bring about the objectives important to the economy of the entire region. A single authority, such as the Tennessee Valley Authority, over the entire region would provide an adequate mechanism for the adjustment of the interests of the States and for the planning and development of the entire valley.

I am transmitting herewith a copy of that report of reconciliation together with accompanying papers. I now recommend that the plans of the two bureaus, published in House Document 475, Seventy-eighth Congress, and Senate Document 191, Seventy-eighth Congress, as modified in accordance with the recommendations of this joint report, be authorized as a basic engineering plan to be developed and administered by a Missouri Valley Authority, such as I have already recommended in my message of September 21.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

## EXECUTIVE OFFICE OF THE PRESIDENT,

## BUREAU OF THE BUDGET.

Washington, D. C., November 16, 1944.

The PRESIDENT,

The White House.

SIR: There are transmitted herewith for your consideration letters from the Secretaries of War and of the Interior to me, a joint report of the Chief of Engineers and the Commissioner of Reclamation to the Secretaries of War and of the Interior, and a joint report of representatives of the Bureau of Reclamation and Corps of Engineers on plans for development of the Missouri River basin. I recommend that these papers be transmitted to Congress for its consideration in connection with the reports of the two agencies, published as House Document 475, 78th Congress, and Senate Document 191, 78th Congress.

Very respectfully,

HAROLD D. SMITH,

Director.

## WAR DEPARTMENT,

Washington, November 4, 1944.

HON. HAROLD D. SMITH,

Director, Bureau of the Budget,

Washington, D. C.

DEAR MR. SMITH: Reference is made to your letter of October 27, 1944, wherein you request, for consideration by the President, a copy of the reconciliation proposed by the Corps of Engineers and the Bureau of Reclamation of the engineering plans for development of the water resources of the Missouri River basin as presented to Congress by those agencies in House Document 475, Seventy-eighth Congress, and Senate Document 191, Seventy-eighth Congress, respectively.

Complying with your request I am pleased to inclose herewith a joint report from the Chief of Engineers and the Commissioner of Reclamation to the Secretaries of War and Interior with its attached joint report by two engineering representatives of each agency.

The joint report of the Chief of Engineers and the Commissioner of Reclamation was prepared in close collaboration among themselves and members of their staffs and completely reconciles the plans of the two agencies.

It is my opinion that the plans of the Corps of Engineers and of the Bureau of Reclamation, coordinated as proposed in the inclosures and authorized as a unified plan, will secure the maximum benefits from the water resources of the basin. I recommend that the joint report be made available for consideration by the Congress in its further deliberations on the pending flood control and river and harbor bills and other proposed legislation pertaining to the Missouri River basin.

Sincerely yours,

ROBERT P. PATTERSON,

Acting Secretary of War.

## THE SECRETARY OF THE INTERIOR,

Washington, November 4, 1944.

HON. HAROLD D. SMITH,

Director, Bureau of the Budget.

MY DEAR MR. SMITH: I am pleased to be able to reply to your letter of October 27 by transmitting a copy of the report reconciling the engineering features of the plans of the Bureau of Reclamation and the Corps of Engineers, which brings together the report of this Department as printed in Senate Document 191, Seventy-eighth Congress, second session, and the report of the War Department as published in House Document 475, Seventy-eighth Congress, second session. I recommend that this single coordinated plan be authorized in a manner that would modify both the reclamation plan and the Army plan and would carry with it the initial phases of both those plans. The Department of the Interior stands ready to prosecute its share and phases of the Missouri River program.

This agreement marks a definite step in advance toward solving the conflict between irrigation and navigation interests. More storage capacity will be constructed under it than under previous plans of either the Bureau of Reclamation or the Corps of Engineers. This additional storage will be sufficient to provide adequate water for irrigation needs and for navigation, and very adequate flood control storage. General Reynolds has informed Commissioner Bashore of his complete agreement with this statement of the advance made as a result of the agreement.

The problem met by the agreement was that of providing adequate, non-overlapping storage sufficient to furnish irrigation, navigation, flood control needs, and for power development. The problems of allocation and return of costs have not been met in it, and there was no intention of meeting them in it. The additional storage to be constructed will serve various purposes, and it is my hope that it will be fairly allocated, and that no disproportionate burden will fall on power that would both limit the market for power and limit the advantages to the region from low-cost power. The Commissioner of Reclamation informs me that a final determination of the costs and allocations of the reconciled construction program will depend upon further joint studies.

This agreement is intended to present a comprehensive engineering plan for the Missouri River, parts of which could be carried out by either of the existing agencies in accordance with their authority or by any new agency that might be set up for the purpose. It does not, therefore, run counter to the principles of the message that the President has sent to the Congress regarding a Missouri Valley Authority. It is also my understanding that there is nothing in the agreement that renders impossible full and continual consultation between the construction agencies and other interests concerned in the program, or prevents passage of legislation



embodying the general principles of the O'Mahoney amendment.

Sincerely yours,

HAROLD L. ICKES,  
Secretary of the Interior.

WASHINGTON, D. C., October 25, 1944.  
To the Secretary of War and the Secretary of the Interior:

1. In view of the questions raised regarding the differences between the separate plans presented by the Corps of Engineers (H. Doc. 475, 78th Cong., 2d sess.) and the Bureau of Reclamation (S. Doc. 191, 78th Cong., 2d sess.) for the comprehensive development of the Missouri River Basin, a committee composed of two representatives each from the Corps of Engineers and the Bureau of Reclamation was appointed to review the engineering features of the two plans with a view of reconciliation between them.

2. The committee met at Omaha, Nebr., on October 16 and 17, 1944, discussed the various features of both plans, examined the supporting data for each plan and prepared the enclosed joint engineering report. The joint engineering report points out that by making appropriate modifications it is possible to eliminate existing differences between the two plans.

3. It was possible to bring into agreement the plans of the Corps of Engineers and the Bureau of Reclamation by recognizing the following basic principles:

(a) The Corps of Engineers should have the responsibility for determining main stem reservoir capacities and capacities of tributary reservoirs for flood control and navigation.

(b) The Bureau of Reclamation should have the responsibility for determining the reservoir capacities on the main stem and tributaries of the Missouri River for irrigation, the probable extent of future irrigation, and the amount of stream depletion due to irrigation development.

(c) Both agencies recognize the importance of the fullest development of the potential hydroelectric power in the basin consistent with the other beneficial uses of water.

4. For convenience in referring to the joint engineering report the following comparable six subdivisions contained in the report of the Bureau of Reclamation (S. Doc. 191, 78th Cong., 2d sess.) have been used:

- (a) Upper Missouri River Basin.
- (b) Yellowstone River Basin.
- (c) Missouri River—Fort Peck to Sioux City.
- (d) Minor western tributaries.
- (e) Niobrara, Platte, and Kansas Rivers.
- (f) Lower Missouri Basin.

#### UPPER MISSOURI RIVER BASIN

5. The plan presented in House Document 475, Seventy-eighth Congress, second session, does not specifically designate any units in the Upper Missouri River Basin subdivision, although provisions are made for desirable and necessary projects in this area. The plan presented in Senate Document 191, Seventy-eighth Congress, second session, contemplates the construction of 19 reservoirs, with a total storage capacity of 3,359,950 acre-feet, for flood control, silt control, the development of hydroelectric power, the irrigation of 460,900 acres of new lands, and the provision of a supplemental water supply for 208,700 acres of land now being served with an inadequate water supply. There is no conflict in the proposed plans of the two agencies for the Upper Missouri River Basin subdivision.

#### YELLOWSTONE RIVER BASIN

6. The plan presented in House Document 475, Seventy-eighth Congress, second session, provides for the construction of Boysen Reservoir, with a storage capacity of 3,500,000 acre-feet, and the Lower Canyon Reservoir,

with a capacity of 2,250,000 acre-feet, to be operated for flood control, irrigation, navigation, power, and other purposes. The plan presented in Senate Document 191, Seventy-eighth Congress, second session, provides for the construction of 27 reservoirs located on various streams in the Yellowstone River subdivision, with a total storage capacity of 4,285,200 acre-feet, the reservoirs to be operated for flood control, silt control, the development of hydroelectric power, the irrigation of 509,560 acres of new lands, the provision of a supplemental water supply for 204,500 acres of land now being served with an inadequate water supply. It was concluded that the plan described in Senate Document 191, Seventy-eighth Congress, second session, would be adequate to accomplish the objectives of the plan described in House Document 475, Seventy-eighth Congress, second session.

#### MISSOURI RIVER—FORT PECK TO SIOUX CITY

7. The plan presented in House Document 475, Seventy-eighth Congress, second session, contemplates the construction of five additional multiple-purpose reservoirs on the main stem of the Missouri River for flood control, navigation, irrigation, power, domestic and sanitary purposes, wildlife, and recreation, as shown in the following table:

Project and location:	Approximate gross storage capacity (acre-feet)
Garrison, near Garrison, N. Dak.-----	17,000,000
Oak Creek, near Mobridge, S. Dak.-----	6,000,000
Oahe, near Pierre, S. Dak.-----	6,000,000
Fort Randall, near Wheeler, S. Dak.-----	6,000,000
Gavins Point, near Yankton, S. Dak.-----	200,000

The plan also provides that as soon as substitute storage is built on the main stem of the river, the Fort Peck Reservoir will be operated as a multiple-purpose reservoir primarily in the interest of irrigation.

8. The plan presented in Senate Document 191, Seventy-eighth Congress, second session, contemplates the use of Fort Peck Reservoir primarily for irrigation purposes, also for navigation, flood control, silt control, and power, and the construction of main-stem reservoirs to be operated for flood control, irrigation, navigation, power, silt control, and other purposes, as follows:

Project and location:	Approximate gross storage capacity (acre-feet)
Oahe, near Pierre, S. Dak.-----	19,600,000
Fort Randall, near Wheeler, S. Dak.-----	5,100,000
Big Bend, near Joe Creek, S. Dak.-----	250,000

Senate Document 191, Seventy-eighth Congress, second session, also includes four inland reservoirs to assist in regulating the water diverted from the main stem and the irrigation of 2,292,900 acres of new lands in the Missouri River, Fort Peck to Sioux City subdivision.

9. After full discussion of the various features of the two plans in this subdivision the following main-stem reservoirs were recommended in the joint engineering report in order to more fully utilize the water resources of the basin and to most effectively serve the present and ultimate requirements of flood control, irrigation, navigation, hydroelectric power, and other uses.

Project and location:	Approximate gross storage capacity (acre-feet)
Garrison, near Garrison, N. Dak.-----	17,000,000
Oahe, near Pierre, S. Dak.-----	19,600,000
Fort Randall, near Wheeler, S. Dak.-----	5,100,000

Approximate gross storage capacity (acre-feet)

Project and location:	
Big Bend, near Joe Creek, S. Dak.-----	250,000
Gavins Point, near Yankton, S. Dak.-----	200,000

The final storage capacities to be selected for the above reservoirs will be jointly agreed upon after more detailed plans and cost estimates have been made.

10. The Garrison Dam, Reservoir, and power plant was included in the coordinated plan as it provides a large volume of useful storage capacity for flood control, navigation, and irrigation, and permits the utilization of approximately 160 feet of head for the development of hydroelectric power in an area capable of absorbing the potential output and which, otherwise, has no prospective source of abundant low-cost power. A large reservoir at the Garrison site, situated immediately below the Yellowstone River with its large silt contribution, will prolong materially the life of downstream reservoirs.

11. The selection of the high Oahe Dam, Reservoir, and power plant as proposed in Senate Document No. 191, Seventy-eighth Congress, second session, floods out the Oak Creek Dam, Reservoir, and power plant as proposed in House Document No. 475, Seventy-eighth Congress, second session. The high Oahe Dam is required in connection with the irrigation of 750,000 acres of land in the James River Basin as well as to provide useful storage for flood control, navigation, the development of hydroelectric power, and other purposes. If the Oahe Reservoir is constructed to the elevation proposed in Senate Document No. 191, Seventy-eighth Congress, second session, a greater storage capacity will be provided than contemplated in the low Oahe and Oak Creek Reservoirs at considerably less cost.

12. The Fort Randall Dam in House Document No. 475, Seventy-eighth Congress, second session, and Senate Document No. 191, Seventy-eighth Congress, second session, utilizes the same site. However, House Document No. 475, contemplates a normal pool level at 1,375 mean sea level whereas Senate Document No. 191 contemplates a pool level at 1,365 mean sea level, in order to not interfere with the Big Bend power plant located near the upper limits of the reservoir. The Big Bend project is considered highly desirable in the ultimate development inasmuch as approximately 60 feet of head is thereby made available for the development of hydroelectric power. The use of the Garrison, high Oahe, Big Bend, Fort Randall, and Gavins Point Dams and Reservoirs as outlined above and agreed upon in the joint engineering report will provide the desired degree of flood control, supply the needs of irrigation as well as furnish cyclic storage for navigation during prolonged drought periods. The plan also utilizes practically all of the available power head in the Missouri River between the mouth of the Yellowstone River and the Gavins Point Dam.

#### MINOR WESTERN TRIBUTARIES

13. The plan of development presented in House Document No. 475, Seventy-eighth Congress, second session, does not specifically designate any units in the minor western tributaries subdivision, although provisions are made for desirable and necessary projects in this area. The plan presented in Senate Document No. 191, Seventy-eighth Congress, second session, provides for the construction of 15 reservoirs with a total storage capacity of 1,237,000 acre-feet, the reservoirs to be operated for flood control, silt control, the development of hydroelectric power, the irrigation of 212,980 acres of new lands, and the provision of a supplemental water supply for 11,300 acres of land now being served with an inadequate water supply. There is no con-

flict in the proposed plans of the two agencies for the minor western tributaries subdivision.

#### NIORRARA, PLATTE, AND KANSAS RIVERS

14. The plan of development presented in House Document 475, Seventy-eighth Congress, second session, contemplates the construction of 9 reservoirs (of which 4 have been previously authorized) for flood control, irrigation and other purposes. The lands to be irrigated were not specified in the report and were to be determined by later detailed investigation. The plan presented in Senate Document 191, Seventy-eighth Congress, second session, contemplates the construction of 22 reservoirs on various streams in the Niobrara, Platte, and Kansas River subdivision with a total storage capacity of 5,650,400 acre feet; the reservoirs to be operated for flood control, silt control, the irrigation of 1,284,060 acres of new land, and the provision of a supplemental water supply to 21,804 acres of land now being served with an inadequate water supply. The following substitutions were found to be desirable in the Kansas River Basin:

(a) On the South Fork of the Republican River, the Bonny Reservoir, in Senate Document 191, was substituted for the Hale Reservoir in House Document 475 to permit the irrigation of approximately 6,500 acres of additional lands. The 2 reservoir sites are located within 4 miles of each other and for all practicable purposes would provide a comparable degree of flood control.

(b) On the Arikaree River the Pioneer Reservoir, in Senate Document 191 was substituted for the Beecher Island Reservoir in House Document 475 inasmuch as the Pioneer Reservoir controlled a larger drainage area, therefore was more advantageous for flood control, and reconnaissance studies by the Bureau of Reclamation indicated that there were no lands suitable for irrigation between the 2 sites.

(c) On Frenchman Creek the Enders Reservoir, in House Document 475 was substituted for the Harvey Reservoir in Senate Document 191, because the Enders Reservoir could be built to a greater capacity than the Harvey Reservoir, and would furnish additional flood protection for the Frenchman Creek Valley in Nebraska. Both sites are suitably located to serve all potential irrigation developments.

#### LOWER MISSOURI BASIN

15. The plan of development as presented in House Document 475 and Senate Document 191 for this subdivision are identical, therefore, no conflict in the engineering features of the two plans exist. The plans include 7 reservoirs and a series of levees and appurtenant works along both sides of the Missouri River from the vicinity of Sioux City, Iowa, to the vicinity of the mouth of the Missouri River.

16. Development of the Missouri River Basin in accordance with House Document 475, Seventy-eighth Congress, second session, and Senate Document 191, Seventy-eighth Congress, second session, as coordinated in the inclosed joint engineering report, if authorized as a unified plan, will secure the maximum benefits for flood control, irrigation, navigation, power, domestic and sanitary purposes, wildlife, and recreation. Precise elevations and heights of reservoirs and dams, and final determinations of the power installations required, can be agreed upon after more detailed plans and cost estimates have been obtained and compared with benefits, and after consideration has been given to the desires and objections of persons affected by the proposed developments.

E. REYBOLD,

Major General,  
Chief of Engineers, United States Army,  
War Department.

HARRY W. BASHORE,  
Commissioner, Bureau of Reclamation,  
Department of the Interior.

#### WAR DEPARTMENT, OFFICE OF THE DIVISION ENGINEER, MISSOURI RIVER DIVISION, Omaha, Nebr., October 17, 1944.

Subject: Joint report of representatives of Bureau of Reclamation and Corps of Engineers on plans for development of the Missouri River Basin.

To: The Chief of Engineers, United States Army, Washington, D. C., and the Commissioner, Bureau of Reclamation, Department of the Interior, Washington, D. C.

1. In accordance with instructions contained in letter of October 10, 1944, from the Commissioner of Reclamation to Mr. W. G. Sloan, Assistant Regional Director, Bureau of Reclamation, Billings, Mont., and Mr. John Riter, Acting Director, Branch of Project Planning, Bureau of Reclamation, Denver, Colo., and letter of same date from the Chief of Engineers to the division engineer, Missouri River division, a conference was held in Omaha, Nebr., on October 16-17, 1944, as a result of which the following joint report is submitted.

2. For purposes of discussion, the basin was divided into the following six subdivisions contained in the report of the Bureau of Reclamation, Senate Document No. 191, Seventy-eighth Congress, second session:

- (a) Upper Missouri River Basin.
- (b) Yellowstone River Basin.
- (c) Missouri River—Fort Peck to Sioux City.
- (d) Minor western tributaries.
- (e) Niobrara, Platte, and Kansas Rivers.
- (f) Lower Missouri Basin.

3. It was agreed that there were no points of conflict in the engineering features of the two plans in the following subdivisions:

- (a) Upper Missouri River Basin.
- (b) Minor western tributaries.
- (c) Lower Missouri Basin.

4. It was agreed that the Yellowstone River Basin be developed in accordance with the plans set forth in Senate Document No. 191, Seventy-eighth Congress, second session. With regard to the other two subdivisions, all of the engineering features of both plans were agreed upon with the following modifications:

- (a) Missouri River—Fort Peck to Sioux City.

(1) The Gavins Point Reservoir and the Garrison Reservoir to be developed in accordance with House Document No. 475, Seventy-eighth Congress, second session.

(2) The Fort Randall Reservoir, the Big Bend Reservoir, and the Oahe Reservoir to be developed in accordance with Senate Document No. 191, Seventy-eighth Congress, second session.

(3) The Oak Creek Reservoir, as proposed in House Document No. 475, Seventy-eighth Congress, second session, for the Hale and Beecher Island Reservoirs as proposed in House Document No. 475, Seventy-eighth Congress, second session, and to substitute the Enders Reservoir as proposed in House Document No. 475, Seventy-eighth Congress, second session, for the Harvey Reservoir as proposed in Senate Document No. 191, Seventy-eighth Congress, second session.

R. C. CRAWFORD,  
Brigadier General, United States  
Army, Division Engineer.

GAIL A. HATHAWAY,  
Head Engineer, Representing Office  
of the Chief of Engineers.

W. G. SLOAN,  
Assistant Regional Director, Bureau  
of Reclamation, Billings, Mont.

JOHN R. RITER,  
Acting Director, Branch of Project  
Planning, Bureau of Reclamation,  
Denver, Colo.

Mr. OVERTON. Mr. President, I ask that the communication from the Presi-

dent just read from the desk and the accompanying papers be referred to the Committee on Commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE ELECTION IN KANSAS—EDITORIAL FROM THE KANSAS CITY STAR

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD, at this point, an editorial from the Kansas City Star of Saturday, November 18, 1944, commenting on the Kansas vote in the recent election. My native State gave Governor Dewey, the Republican nominee, a plurality of 154,217 votes, the largest he received in any State. Kansas also reelected Gov. Andrew Schoeppel by a margin of 229,000 votes, reelected my colleague, Senator CLYDE M. REED, elected 6 Republican House Members, and elected 39 Republicans and 1 Democrat to the State senate, 119 Republicans and 6 Democrats to the State house of representatives. It is what is called a Republican year in Kansas. I send the editorial to the desk for printing in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### WHEN KANSAS SPEAKS UP

What's the matter with Kansas now? Nothing except that it's still Kansas, your sunflower citizen wants the world to know. He aims to make it very plain.

Kansas gave Gov. Thomas E. Dewey the largest popular plurality of any State—154,217 votes—and returned its Republican Governor, Andrew F. Schoeppel, by a thumping 229,000-vote margin, an all-time high.

The State proved the storm center of all the pent-up revolt against the New Deal and expressed its emotions on the ballot. That was characteristic of Kansas. It spoke its piece in a loud and unmistakable voice. And some of the same emotions that agitated Kansas spilled across the borders and boiled up in neighboring agricultural States.

How did Kansas get that way? Under ordinary circumstances your average Kansan is a mild-mannered, even-tempered individual who goes his own way and attends to his own business. He also can be as independent as a hog on ice, as rambunctious as a yearling bull, and as intent on his freedom as the sportive jack rabbit.

Kansans don't like restraints—by outsiders. Something in the prairie air, the battle with nature, and the struggles with the soil, makes a Kansan the freest of individualists. He will regulate himself, sometimes almost to absurdity. He will ban cigarettes, as he did in the days of Lizzie Wooster, and cause merchants to hide them under the counter. He will ban hard liquor and defend his right to do it. But let someone else try it and your typical Kansan hits the ceiling.

The Kansas citizen has no love for Federal bureaus. The idea of being told what to do by a Federal agency rubs the fur the wrong way. He grows violent over regimentation and his blood pressure soars over having to fill out questionnaires. He is an ardent believer in State rights. To him O. P. A., O. D. T., W. L. B., and A. A. A. are fighting alphabetical symbols. Men who have raised wheat, cattle, and Cain through good years and bad want to stand on their own two feet and manage their own affairs.

That, in a nutshell, is why thousands of Kansas Democrats joined the Republicans to take a punch at the New Deal in far-off Washington. That's Kansas.



# THE CHIANG KAI-SHEK GOVERNMENT IN CHINA

Mr. CAPPER. Mr. President, I received a communication today from a provisional committee for the support of the Chiang Kai-shek government in China, organized in Dodge City, Kans. On the committee are the Lieutenant Governor of Kansas, Jess C. Denious, Mayor Arthur Nevins, and other leading citizens.

This committee is alarmed over the attacks on the Chiang Kai-shek government by Communist sympathizers in this country. These men also feel that one of the greatest helps the United States can render the Chinese National Government is to supply it, through lend-lease, with \$50,000,000 in minted silver. I believe the Senate is entitled to the views of this committee, and ask unanimous consent that the communication be placed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

DODGE CITY, KANS., November 24, 1944.

## SUSTAIN CHIANG KAI-SHEK NOW

The crisis in China demands more than halfway measures.

The Chinese Republic, born in the revolution of 1911, was an effort to realize for China the dream of democracy as exemplified by America. The inspiration that awakened China was due to the schools and Christian missions fostered by Protestant and Catholic since 1860.

This fact was attested by Yuan Shi-kai, the last Premier of the Manchus and the first President of the Chinese Republic. He urged Bishop Bashford 30 years ago to secure American help in withstanding Japan. He asserted, "Your schools and missions and the teachings of Jesus fomented this revolution and this ferment."

George Sokolsky, Russian, for years a correspondent in and resident of China, a few years ago, observed, "The most significant job done by Americans in China is so great a work that it is altogether misunderstood by small minds—that is, the tremendously important services of the American missionary." Enumerating the hospitals, the schools, and universities, he said, "They planted the seeds of social revolution, which produced in China a forward-looking, progressive, non-opium-smoking, monogamous leadership."

Nationalist China, headed by Chiang Kai-shek, for 8 years had withstood the well-equipped might of Japan and contributed immeasurably to our victory. Her poorly armed soldiery, at a cost of 5,000,000 lives, inflicted 2,000,000 casualties on the enemy and stalled their progress until America awakened. Today, the nationalist government of Chiang, despite its faults and mistakes made in most trying and difficult circumstances, represents the result of American teaching and inspiration. Our Government has properly recognized and supported Chiang. From Valley Forge to Valley Forge and to yet another Valley Forge, like a rock he has stood athwart the torrent of ruthless Japanese aggression. The Japanese have vowed to destroy him.

A peaceful, stable world in the trans-Pacific areas, depends upon building on the foundation laid by Chiang in the nationalist government. The unfair sniping at him by a certain school of propagandists in this country is for the purpose of undermining faith in him among the American people and to serve the ends of those who prefer other than American interests to influence the Far East. If they succeed, the lives and sacrifices of our own sons and brothers in the Pacific will have

been given in vain and our casualties will be augmented.

The immediate difficulties of Chiang's government are made more acute by paper currency inflation. Chinese have long been accustomed to silver money. Our own silver-buying policy of 1935 drained silver from China. We should now restore it tenfold from our useless silver hoard. We should begin by following the suggestion of the Christian Advocate to lend-lease \$50,000,000 (minted in even smaller denominations). This could supplant the overloading of our air transports with worthless printed money. We gave Britain 50 unused destroyers and did well. Give China unused silver so that Chiang can pay his soldiers and civil servants in coin. Silver money would in a measure restore economic order to China, bring hoarded food out of hiding. Since our \$2,000,000,000 silver hoard is worthless to us, this would put a portion of it to good use.

Provisional committee: Jess C. Denious, Kansas Lieutenant Governor, publisher, Dodge Daily Globe; Arthur Nevins, mayor of Dodge City; George B. Dugan, president, First National Bank; J. R. Throckmorton, Methodist district superintendent; Karl Miller, district judge; Carl Van Riper, lawyer; O. Ray Cook, Methodist pastor; C. C. Isely.

## FEDERAL AND STATE CONTROL OF INSURANCE

Mr. VANDENBERG. Mr. President, I wish to present a very persuasive letter from the State commissioner of insurance in Michigan, Mr. David A. Forbes, pointing out the dire necessity for action by Congress, prior to the adjournment of this session, in respect to the Federal and State jurisdictions in the control of the insurance business. Commissioner Forbes presents a cogent argument which I hope may be effective in its impact upon the Congress.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF MICHIGAN,  
DEPARTMENT OF INSURANCE,  
Lansing, November 22, 1944.

HON. ARTHUR H. VANDENBERG,  
United States Senate,  
Washington, D. C.

DEAR SENATOR: I am sending you under separate cover a copy of the legislative proposal submitted to the Congress of the United States by the Executive Committee of the National Association of Insurance Commissioners.

Words fail to describe the chaotic condition now existing in the regulatory field of the insurance business. As evidence of this, there are now two court actions that have been brought against the Commissioners of New York and California questioning the constitutionality of the insurance license laws of those States in view of the recent Supreme Court decision.

In general, it can be said there are two proposals for Congress to consider in order to restore to the States at least some degree of control and regulation. One is the proposal by the stock fire and casualty companies, and the other the proposal by the National Association of Insurance Commissioners which has been endorsed by the life insurance companies and the mutual fire and casualty companies. Both proposals agree that the business of insurance should be excluded from the provision of the Federal Trade Commission Act and the Robinson-Patman Act. The two proposals really only differ on the question whether or not the insurance business should be given a

blanket exclusion from the provisions of the Sherman and Clayton Acts.

The stock fire and casualty companies' proposal asks for that blanket exclusion as is evidenced by the Bailey-Van Nuys bill. The Commissioners' proposal on the other hand only asks for certain specific exclusions from that act after July 1, 1948. The Commissioners believe that the insurance business has no more right to ask for a blanket exclusion from those acts than has any other business that has been held to be engaged in interstate commerce. As commissioners of insurance, we do not feel that we have any right to ask that the business we supervise and regulate in our respective States should not be held to be applicable to any act of boycott, coercion, or intimidation as provided in the Sherman Act.

From a practical standpoint, I do not believe the Commissioners' program would have any opposition from Senator O'Mahoney and his friends, nor do I believe that legislation based on that program would be vetoed. The opposite is true of the other proposal.

May I also stress the importance to the States of some declaration by Congress on this subject before January 1, because, as you know, most State legislatures convene at that time. It is important to all Commissioners to see to it that proper legislation is introduced in their respective States to try to bring the State insurance statutes in line with the unfortunate Supreme Court decision involving insurance. Without a declaration from Congress, we, as commissioners, are at a loss to know what our State legislative programs should be.

In view of the above, may I urge your support to the program of our association by proper and necessary amendments to the Bailey-Van Nuys bill.

With kind personal regards and best wishes, I am,

Very truly yours,

DAVID A. FORBES,  
Commissioner of Insurance.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCFARLAND, from the Committee on Interstate Commerce:

H. R. 4184. A bill to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; with amendments (Rept. No. 1208).

By Mr. MCKELLAR, from the Committee on Post Offices and Post Roads:

S. 1971. A bill to provide for the disposal of certain mail matter condemned by the Director of Censorship; with amendments (Rept. No. 1227); and

H. R. 5154. A bill relating to dual employment in the Postal Service, and for other purposes; without amendment (Rept. No. 1228).

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 2195. A bill to further amend section 22 of the act approved March 4, 1925, entitled "An act providing for sundry matters affecting the naval service, and for other purposes," by removing the limitation on the total personnel of the Naval Reserve Officers' Training Corps, and for other purposes; with amendments (Rept. No. 1229).

By Mr. MALONEY, from the Committee on Banking and Currency:

S. 1954. A bill to amend the act entitled "An act to authorize the use for war purposes of silver held or owned by the United States," approved July 12, 1943; with an amendment (Rept. No. 1230).

By Mr. MCFARLAND, from the Committee on the Judiciary:

S. J. Res. 139. Joint resolution designating period from Thanksgiving Day to Christmas of each year for Nation-wide Bible reading; with an amendment (Rept. No. 1231).

# FUNERAL EXPENSES OF THE LATE SENATOR SMITH, OF SOUTH CAROLINA

Mr. LUCAS. Mr. President, on November 21 the able Senator from South Carolina [Mr. MAYBANK] offered Senate Resolution 337, and the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The resolution authorizes and directs the payment of the funeral expenses of the late Senator Smith. I report the resolution favorably without amendment from the Committee to Audit and Control the Contingent Expenses of the Senate, and ask for its immediate consideration.

There being no objection, the resolution (S. Res. 337) was considered and agreed to, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. ELLISON D. SMITH, late a Senator from the State of South Carolina, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOWNEY:

S. 2200. A bill to provide additional compensation for certain civilian employees of the Governments of the United States and the District of Columbia; and

S. 2201. A bill to provide for health programs for Government employees; to the Committee on Civil Service.

S. 2202. A bill for the relief of Mrs. Mae E. Sutton; to the Committee on Claims.

S. 2203. A bill to enable the mothers and widows of deceased members of the armed forces now interred in cemeteries outside the continental limits of the United States or in Alaska to make a pilgrimage to such cemeteries; to the Committee on Military Affairs.

## HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or ordered to be placed on the calendar, as indicated:

H. R. 330. An act to amend subsection 9 (a) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended; to the Committee on Privileges and Elections.

H. R. 2832. An act to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals; to the Committee on Immigration.

H. R. 3709. An act for the relief of Harley E. Carter; to the Committee on Claims.

H. R. 4311. An act to authorize the appointment of two additional Assistant Secretaries of State; to the Committee on Foreign Relations.

H. R. 4968. An act to amend section 511 (c) of the Merchant Marine Act, 1936, as amended, relative to deposit of vessel proceeds received from the United States in certain cases, and for other purposes; to the Committee on Commerce.

H. R. 5408. An act to amend the Muster-Out Payment Act of 1944, to provide a

method for accomplishing certain muster-out payments on behalf of mentally disabled veterans, and for other purposes; to the Committee on Military Affairs.

H. R. 5331. An act to authorize the transfer of certain lands within the Colonial National Historical Park, Yorktown, Va., to the Secretary of the Navy.

H. R. 5493. An act to provide for the continuation on the active list of the Regular Army for the duration of any of the wars in which the United States is now engaged, and for 6 months thereafter, of any officer on the active list of the Regular Army who has served as Chief of Staff during the wars in which the United States is now engaged; and

H. R. 5494. An act to amend the act entitled "An act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties," approved December 16, 1940; ordered to be placed on the calendar.

## RIVER AND HARBOR IMPROVEMENTS—AMENDMENTS

Mr. WEEKS submitted an amendment intended to be proposed by him to the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. CONNALLY submitted two amendments intended to be proposed by him to House bill 3961, supra, which were ordered to lie on the table and to be printed.

## ACCEPTANCE OF BUST OF HON. CORDELL HULL

Mr. McKELLAR submitted the following concurrent resolution (S. Con. Res. 56), which was referred to the Committee on the Library:

*Resolved by the Senate (the House of Representatives concurring)*, That the Joint Committee on the Library is hereby authorized and directed to accept on behalf of the Congress of the United States, a bust of Hon. Cordell Hull, Secretary of State, formerly a Member of the House of Representatives and of the United States Senate from the State of Tennessee, presented by the Cumberland (Md.) Evening and Sunday Times, and to cause such bust, executed by George Conlon, sculptor, to be placed in a suitable location in the United States Capitol.

## ST. LAWRENCE RIVER DEVELOPMENT

Mr. AIKEN. Mr. President, with a view to ascertaining the effect of the St. Lawrence seaway upon the agriculture of the country I wrote on November 17 to Mr. Grover B. Hill asking him to express his views. Mr. Hill, as everyone knows, is Under Secretary of Agriculture and also Deputy War Food Administrator. I have received from Mr. Hill the following letter:

DEPARTMENT OF AGRICULTURE,  
Washington D. C., November 25, 1944.  
Hon. GEORGE D. AIKEN,

United States Senate, Washington, D. C.

DEAR SENATOR AIKEN: I am glad to comply with your letter of November 17 by stating my views on the proposed St. Lawrence seaway and power project. As you know, this Department is already on record as favoring the project. Secretary Wickard, in a statement before the House Committee on Rivers and Harbors 3 years ago, endorsed both the navigation and power phases of the proposal for developing the St. Lawrence waterway.

As Secretary Wickard pointed out in his statement, we believe that the development of the seaway would benefit American agriculture as a whole by lowering transportation charges on the things farmers sell and the things they buy. It will aid in the restoration of our foreign markets after the war. It will increase our national security in times of crisis.

In the post-war years ahead farmers will need every possible facility for promoting trade both in the markets here at home and in foreign markets. Transportation, always a vital factor in commerce, looms large in that trade. Seaways are of great importance to our agricultural Midwest. This is particularly true of the St. Lawrence project. In addition to providing the States of the Great Lakes Basin with cheaper transportation, the construction of the St. Lawrence seaway would link the people of this area to each other and to the outside world. Any reduction in transportation costs would be an important factor in strengthening the American farmer's competitive position in the world market.

The power possibilities of the St. Lawrence project hold great promise to agriculture in the States where the delivery of cheap hydro power generated on the St. Lawrence would be feasible. In the States of New York, Vermont, and New Hampshire alone, there are still almost 50,000 farms without central station electric service. In addition, there are more than 85,000 unelectrified nonfarm homes and establishments in the rural areas of these States.

We hope you will call on us any time we can be of assistance to you.

Sincerely yours,

GROVER B. HILL,  
Under Secretary.

Mr. President, I also wish to read a short editorial from the Alabama Journal of Montgomery, Ala., under date of November 18, 1944, as follows:

## SAME OBJECTIONS

The Mobile Register has come out with a broadside editorial against the St. Lawrence River project. Now that President Roosevelt has expressed the hope that the project can go ahead as one of the peacetime methods of giving employment the Mobile port paper has nothing kinder to say of it than that it will mean waste of the public money and another era of boondoggling.

The opponents of the St. Lawrence development have been able to stir up an unusual scare. They have been able to make certain people in Chicago and in the Mississippi Valley feel that if the St. Lawrence River is opened to navigation it will turn millions of tons of commerce eastward and build up Atlantic ports to the disadvantage of the Midwest and the Gulf ports. It looks like straining things pretty far to assume that the opening of a new waterway from the Great Lakes to the Atlantic Ocean by way of the St. Lawrence River will be injurious to the port of Mobile.

Of course that is merely the red herring across the trail. There are selfish reasons against the river development that affect enormous interests in the East, especially those producing electric power and those utilizing the power now made at Niagara Falls. But the arguments against improving that great river and developing its electric power possibilities are no more convincing than are those which were advanced against development of the T. V. A. Time has shown the complete fallacy of the arguments made against the Tennessee River project.

Mr. President, it seems very strange to me that the Mobile Register should have come out against the St. Lawrence River project, saying that it would inaugurate an era of boondoggling and



would constitute a waste of public money, when that same newspaper is urging the construction of the Coosa-Alabama project and the Tombigbee Canal at a cost of nearly \$300,000,000. I want to express my gratification that there is a newspaper in Alabama, the Journal of Montgomery, which sees far enough and is fair-minded enough to realize that what affects one section of the country beneficially is also of benefit to all.

#### REPORT OF LEGISLATIVE BRANCH DEFERMENT REVIEW COMMITTEE

Mr. MAYBANK. Mr. President, at the request of the legislative branch deferment review committee, of which I am chairman, Col. Francis V. Keesling, Jr., of the Selective Service System, appeared before the committee on November 27, 1944, and informed us of the selective-service policies for deferment of men 30 years of age and over. The substance of his comments is as follows:

First. Under selective-service policies men 30 years of age and over who are not Federal employees are being deferred in class II-A if found by their local boards, subject to appeal, to be "regularly engaged in an activity in support of the national health, safety, or interest," or in class II-B if found by their local boards to be "regularly engaged in an activity in war production." Under those policies comparatively few men 30 years of age or over are being inducted for the reason that such policies do not require that men of that age be indispensable or irreplaceable, nor do they require such men to be engaged in work supporting the war effort insofar as class II-A deferments are concerned.

Second. Public Law No. 23, Seventy-eighth Congress, the Lodge-Maybank Act, prohibits Selective Service from deferring an employee of the Federal Government on a similar basis, even though he meets the foregoing requirements for deferment, unless the deferment review committee for the appropriate branch of the Government frees the hand of the selective-service local board by filing with it a document known as an Authorized Government Request.

Third. The deferment review committees of the executive and judicial branches of the Government respectively have been filing or authorizing the filing of authorized Government requests in the cases of employees of their branches of the Government who are 30 years of age and over so that the selective-service local boards will be able to defer them on the same basis as private employees. Unless the deferment review committee of the legislative branch of the Government files authorized Government requests on behalf of Federal employees of the legislative branch of the Government, including members of individual Senators' and Representatives' office forces, on a similar basis to that being followed by the deferment review committees of the other two branches of the Government, such employees of the legislative branch of the Government will be discriminated against not only as between them and private employees, but also as between them and

employees of the other two branches of the Federal Government.

Colonel Keesling recommended that the legislative deferment review committee file authorized Government requests for employees of the legislative branch of the Government who are 30 years of age and over in order to preclude any discrimination against them by freeing the hands of the local boards so that they may classify such legislative employees on the same basis as private employees and employees of the other two branches of the Government. As a part of his recommendation, Colonel Keesling suggested that the committee in filing authorized Government requests in behalf of employees in that age group expressly indicate that the requests are being made solely on the basis of the registrant's being regularly engaged in an activity in support of the national health, safety, or interest, as set forth in the selective-service regulations, and that the committee is making no assertions that the employee is irreplaceable or is engaged in an activity in war production.

After considering these comments and recommendations, the legislative deferment review committee decided that it would file authorized Government requests on a basis similar to that followed by the other two branches of the Government in behalf of employees 30 years of age and over so as to permit Selective Service local boards to classify them on a comparable basis with other registrants.

As chairman of the legislative branch deferment review committee, I am bringing this to the attention of Members of the Senate and of the House of Representatives in order that they may be informed of the committee's action in this regard, and will submit to the committee appropriate information concerning employees on their committees or in their individual offices as a basis upon which the committee may take action. Senators may obtain information from my office, and Members of the House may obtain information from the office of Representative MAY, who is chairman of the House members of the committee.

#### ADDRESS BY SENATOR CONNALLY AT PRESENTATION OF HUMANITARIAN AWARD TO SECRETARY HULL

[Mr. HATCH asked and obtained leave to have printed in the RECORD the address delivered on November 24, 1944, by Senator CONNALLY on the occasion of the presentation of the Humanitarian Award to Secretary of State Hull by the Variety Clubs of America, which appears in the Appendix.]

#### PRESENTATION OF HUMANITARIAN AWARD TO THE SECRETARY OF STATE—REMARKS BY EDWARD R. STETTINIUS AND JAMES F. BYRNES, AND LETTER FROM THE PRESIDENT OF THE UNITED STATES

[Mr. WALSH of New Jersey asked and obtained leave to have printed in the RECORD the remarks of the Acting Secretary of State, Hon. Edward R. Stettinius, the remarks of the Honorable James F. Byrnes, and a letter from the President of the United States to Carter Barron, general chairman of the Variety Clubs of America, on the occasion of presentation of the Humanitarian Award to Hon. Cordell Hull, Secretary of

State, by the Variety Clubs of America, which appear in the Appendix.]

#### THE DUMBARTON OAKS PLAN—ARTICLE BY SENATOR CONNALLY

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article on the Dumbarton Oaks plan, written by Senator CONNALLY, and published in the Washington Post of November 26, 1944, which appears in the Appendix.]

#### THE STETTINIUS APPOINTMENT—ARTICLE IN PM

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "The Stettinius Appointment," written by Max Lerner, editor of PM, and published in the issue of PM on November 28, 1944, which appears in the Appendix.]

#### ST. LAWRENCE RIVER DEVELOPMENT—EDITORIAL FROM CHICAGO DAILY NEWS

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an editorial entitled "More Conversation?" relating to the St. Lawrence River development, published in the Chicago Daily News of November 20, 1944, which appears in the Appendix.]

#### DEWEY H. DAVIS

Mr. GEORGE. Mr. President, I ask that the Chair lay before the Senate House bill 3373, for the relief of Dewey H. Davis, and I shall make a brief explanation of it.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives, which will be read.

The bill (H. R. 3373) for the relief of Dewey H. Davis was read twice by its title.

Mr. GEORGE. Mr. President, on September 21 last the Senate passed a bill for the same amount carried in the bill just read, namely, \$5,000, to compensate the claimant for personal injuries received. It went to the House of Representatives, and the House took no action upon the bill, but on November 21, 60 days later, the House passed an identical bill, so far as the amount was concerned, for the relief of this particular claimant, Dewey H. Davis. I have conferred with the chairman of the Committee on Claims of the Senate, and it is entirely unnecessary to have the bill go to the committee. I therefore ask that the Senate proceed to the present consideration of the House bill.

There being no objection, the bill (H. R. 3373) for the relief of Dewey H. Davis was considered, ordered to a third reading, read the third time, and passed.

#### LT. JAMES H. CLARK AND ELEANOR CLARK

Mr. ELLENDER. Mr. President, yesterday the Senate passed Senate bill 2098, for the relief of Lt. James H. Clark and Eleanor Clark. On the day it was reported from the Committee on Claims, an identical bill was received from the House and referred to the Committee on Claims.

I ask unanimous consent that the Committee on Claims be discharged from the further consideration of the House bill, H. R. 4929, that it be considered as having been considered, ordered to a third reading, read the third time, and passed,

and that the vote on the passage of the Senate bill be reconsidered and the bill indefinitely postponed.

**THE PRESIDING OFFICER.** Is there objection to the request of the junior Senator from Louisiana? The Chair hears none, and it is so ordered.

#### FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

**MR. OVERTON.** Mr. President, I presume the regular order of business now is to proceed to the consideration of House bill 4485.

**THE PRESIDING OFFICER.** That is the pending order of business.

**MR. OVERTON.** As I understand the situation, we have acted upon all the committee amendments and some other amendments, with the exception of the amendments which are covered by the O'Mahoney amendments. I think, therefore, it would be proper now for the Senator from Wyoming to present his amendments.

**MR. O'MAHONEY.** Mr. President, I have already sent to the desk the text of the amendments upon which a group of Senators representing New England and the West have been at work for several months. The subject matter of these amendments was presented in detail to the Committee on Commerce, and the group of Senators who have sponsored the amendments have had numerous conferences with the distinguished and able, and I may say very amicable, Senator from Louisiana [Mr. OVERTON] who is in charge of the pending bill.

The problem which was presented to us, Mr. President, was that of bringing about the coordination in a legislative as well as in an engineering way, so far as this bill is concerned, of the two plans that had been worked out for the Missouri Valley by the engineers and the Bureau of Reclamation, and of obtaining a redeclaration of the historic doctrine of priority of the consumptive uses of water in the States west of the ninety-eighth meridian known as the arid-land States, and finally of securing recognition in the law of the interest and right of States that are affected by flood control or rivers and harbors improvement to have an opportunity to examine the plans and to suggest amendments, if necessary, before any such plans are adopted.

The subject matter has been discussed off and on upon the floor upon numerous occasions, and I think it is pretty well understood by all Members of the Senate, so I shall attempt now merely to explain briefly the purpose of the various amendments.

In the first place, Mr. President, there is a provision, referring to the works of improvement for navigation or flood control which are authorized in this bill, setting forth a policy by which all plans, proposals, or reports of the Chief of Engineers, War Department, which have not heretofore been authorized or are not herein authorized, shall be submitted to

the Congress, after preliminary examination has been made by the affected States through the governors of the States. In other words, this language directs that notice shall be given to the governors of all affected States by the Chief of Engineers.

**MR. MALONEY.** Mr. President, will the Senator yield?

**MR. O'MAHONEY.** I yield.

**MR. MALONEY.** Has the amendment in its latest form been printed?

**MR. O'MAHONEY.** No; it has not been printed. There has been an addition and a change which I was undertaking to describe.

Briefly paragraph (a) of the original amendment therefore was intended to apply to all future projects, and to provide a policy by which such projects should be cooperatively investigated and planned by all of the States and by the departments, the Interior Department and the Army engineers, which might be interested. As originally proposed to the Commerce Committee, the amendment contained provision for substantially this same policy with respect to existing projects, that is to say projects which have already been authorized, but to which some objection has been found by the public authorities of affected States.

The only object of that amendment was to deal with projects contained in this bill or previously authorized to which some objection had been made. It has been found that all the projects in that category, with the exception of the Connecticut River Basin, have been removed from the element of discussion, because the Senators concerned have asked or will ask that they be eliminated from the bill. So that provision no longer appears in this joint amendment.

**MR. MALONEY.** Mr. President, will the Senator yield to me again?

**MR. O'MAHONEY.** If the Senator will bear with me, I shall cover the entire matter, but of course I shall be very glad to have the Senator interrupt me.

**MR. MALONEY.** I was going to suggest to the Senator that, in order that we may mark our copies, I will be grateful if as he goes along he will point out the language he is striking out, and I shall not interrupt him again.

**MR. O'MAHONEY.** I shall be very happy to have the Senator interrupt me. The provision in the printed amendment which does not appear in the amendment which is now being offered, is that which is described in the printed amendment as subparagraph (b). It appears beginning in line 21 on page 4, and all of page 5, and on page 6 down to and including line 21. Paragraph (b) has been eliminated altogether.

Paragraph (c) as originally prepared therefore becomes paragraph (b) of the amendment we are now offering, and this is the provision which recognizes the priority of the use of water in the States west of the 98th meridian.

The next provision deals with the plans which may be developed not by the Army engineers but by the Secretary of the Interior in the future, and paragraph (d)—now paragraph (c)—has the effect of submitting the projects devised by the Bureau of Reclamation

and the Secretary of the Interior to precisely the same policy as that to which plans and proposals of the Army engineers are subjected in accordance with paragraph (a) of the amendment.

The bill as reported by the committee contains, on page 5, in lines 8 to 16, a provision authorizing the Secretary of War to sell to States, municipalities, private concerns, and so forth, surplus water. Objection was made to that upon the ground that in the public-land States, according to the constitutions of the States, the acts of admission, the statutes of the States, and the policies of the Congress, as indicated in several laws which Congress has passed, such water does not belong to any individual or any agency, but is the property of the public. In the Western States water is such an important resource in the development of the whole economy that from the very beginning, as these States were admitted to the Union, it was provided that the ownership of the water should be in the public, and should be administered by the State so that water rights could be adjudicated between conflicting claimants.

The amendment contains a modification of the language on page 5, lines 8 to 16. We move that that language be stricken out, and a substitute is provided.

On page 5 of the bill, as reported, beginning in line 25, the committee struck out section 6 altogether, and suggested a committee amendment. The language stricken appears in line 25 on page 5 and lines 1 to 11 on page 6. We are also offering a substitute for that.

A new section, section 9 (a), is offered. It appears on pages 10 and 11 of the printed amendment and authorizes the integrated report on the Missouri Valley Basin, the report to which the President's message referred. Of course, the provision reported by the committee on page 20, lines 5 to 25, inclusive, and on page 21, lines 1 and 2, is stricken out, and the authorization for the coordinated plan is substituted for it.

Finally, Mr. President, there is the amendment which is offered to take care of the Connecticut River Valley. Senators will recall that there is a very important flood-control problem in the Connecticut River Valley. It affects the States of Connecticut and Massachusetts particularly because they are lower-basin States. It affects the State of Vermont very acutely because the State of Vermont is the State in which certain dams and projects to control the floods of the Connecticut River were proposed to be constructed. In other words, the State of Vermont is the State which would be required to surrender the use of arable land in order to create a reservoir to benefit States lower on the stream. The problem has been under consideration for a number of years. There is a New England pact, but the plans which were developed by the Army engineers were not satisfactory to the public authorities of the State of Vermont, and the Senators from Vermont have indicated their objection to those plans.

Subsection (b) as originally proposed would have provided for a review of those plans. The proposed amendment, upon



which, as I understand, there has been complete agreement, reads as follows: On page 10 of the bill—

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. O'MAHONEY. I yield.

Mr. OVERTON. So far as the committee is concerned, there has been no complete agreement with respect to the amendment to which the Senator is presently referring.

Mr. O'MAHONEY. I understood that it was satisfactory to the Senator from Louisiana.

Mr. OVERTON. It is not satisfactory to me. It would be a matter for debate. I will say that the other amendments which the Senator has read up to this point are satisfactory; and while I do not altogether agree with the exact interpretation which the Senator has placed upon them, as to their effect, they are all satisfactory, so far as I am concerned. The other amendment, relating to the Connecticut Valley Authority, is not agreed to.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CLARK of Missouri. Since we are talking about what has been agreed to and what has not been agreed to, if I may interrupt at this time—and I do not wish to interrupt the thread of the Senator's thought—I should like to ask what is the present tenor of the Senator's amendment, which I have not yet had an opportunity to put together, with regard to the Souris basin. I refer to the project for taking water out of the Missouri Valley watershed completely and irrigating 1,000,000 acres of land in Canada. If that is in the amendment I intend to oppose it.

Mr. O'MAHONEY. I will say to the Senator that there is no provision in the coordinated report of the Army Engineers and of the Bureau of Reclamation for the irrigation of any land in Canada.

Mr. CLARK of Missouri. I am not asking the Senator that. I am asking whether it is proposed to divert water from the Missouri Valley watershed into the watershed of the Red River of the North. If that be true, I think it is an infamous proposal, which I shall personally oppose as long as I can.

Mr. O'MAHONEY. The coordinated report of the Army engineers and the Bureau of Reclamation does provide for the diversion of a certain amount of water from the upper Missouri Valley for the irrigation of lands in North Dakota. The provisions of the engineering plans are such that a drainage canal is to be constructed for the purpose of recovering the recoverable supply of water after such irrigation. Some of it would go into the Cheyenne River and into the Red River of the North, as mentioned by the Senator from Missouri; but I am given to understand by the engineers that all of it, or practically all of it, will be used for domestic purposes in the United States, in the State of North Dakota, and that there is no possibility

of the utilization of any of this water for the irrigation of lands in Canada.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHERRY. Would that water, after it had been used for domestic purposes or any other purpose, drain back into the original watershed?

Mr. O'MAHONEY. Some of it would go back into the Missouri. Some of it would go into the Red River and would not go back into the Missouri.

Mr. President, I was about to read the amendment dealing with the Connecticut River Basin. On page 10 of the bill as reported by the committee, it is proposed to strike out lines 3 to 7, inclusive, and insert the following:

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont. Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tisbury, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

With that amendment, Mr. President, the section would read as follows, beginning on page 9 of the bill, in line 22:

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$30,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Connecticut River Basin.

The provision I just read would then follow in lieu of the proviso of the committee amendment.

Mr. WEEKS and Mr. DAVIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wyoming yield; and if so, to whom?

Mr. O'MAHONEY. I yield first to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, let me inquire whether the Senator is offering this amendment to the amendment he has proposed or to the bill itself at the point at which reference is made to the Connecticut River Basin?

Mr. O'MAHONEY. Of course, Mr. President, all of these, being amendments, are amendments offered to the bill itself. From what the Senator from Louisiana said a moment ago, I suppose we may proceed with consideration of these various items. It will be seen that they deal with separate and distinct parts of the bill.

Mr. MALONEY. Mr. President, let me ask a question, if I may do so. It is very important to me, and, I think, to some other Senators, to determine whether we will be voting upon this new proposal as a separate amendment or whether it may become necessary in order to get at it to

oppose the entire O'Mahoney amendment.

Mr. O'MAHONEY. Mr. President, for the convenience of the Senate and of those who were working on these bills, this was printed as a whole. When we begin we jump from page 5 to page 6 and then to page 20; and I suggest that in the interest of orderly procedure it might be well for us to take them up as they appear.

Mr. MALONEY. I should like to suggest to the Senator that there is a slight risk, at least, of doing violence to his proposal by including it in the amendment covering projects for the State of Vermont.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. OVERTON. I wish to assure the Senator from Connecticut that there will be a separate vote on the Connecticut River Basin projects. My suggestion will be that section 1 of the O'Mahoney amendment, which has no relation whatsoever to the Connecticut River Basin, be voted on—down to, let us say, subsection (a)—and that then we vote on subsection (a), and then on subsection (b), and then on subsection (c).

Mr. MALONEY. Just a moment, Mr. President. As I understand, subsection (b) in the printed form is to be stricken out.

Mr. O'MAHONEY. The Senator was referring to the new subsection (b). What was subsection (c) has now become subsection (b).

Mr. MALONEY. I understand.

Mr. OVERTON. And then the other amendments follow. When we get through with what the Senator has in his hand in the printed form the Connecticut River Basin projects will then come up to be voted upon.

Mr. CLARK of Missouri. Mr. President, will the Senator from Wyoming yield to me, to permit me to ask a question?

Mr. O'MAHONEY. Certainly.

Mr. CLARK of Missouri. Will there be a separate vote on the Souris River project?

Mr. O'MAHONEY. I have no objection to having a separate vote on any particular items which may appear in the bill.

Mr. CLARK of Missouri. The Senator has been reading from a private copy of his own. If the Senator can advise me where in the amendment the Souris River project appears, I should be very much obliged, because it is my intention to vote against the Souris River project and, if it is included in the bill, to vote against the bill.

Mr. O'MAHONEY. I shall be very glad to point that out to the Senator. If one of the pages will hand a printed copy to the Senator from Missouri, he will find the authorization on page 10 of the printed report, beginning in line 7, and going through line 19 on page 11. That is the language which authorizes the integrated report.

Mr. OVERTON. Mr. President, if I may be permitted to make a suggestion to the Senator from Missouri, let me say

that the Souris River question can easily be disposed of in a separate amendment which I presume the Senator from Missouri has in contemplation, and that would be to make another subsection, when we finish the O'Mahoney subsection.

Mr. CLARK of Missouri. I do not wish to interfere with the consideration of this very important matter, of course.

Mr. OVERTON. That subsection would be as follows, in effect: "Nothing herein shall be construed as authorizing a divergence of water from the Missouri River Basin to any other basin."

Mr. CLARK of Missouri. That is exactly what I had in mind.

In other words, Mr. President, if the Senator from Wyoming will permit me to speak for just a moment, the whole controversy, which started with the consideration of the wrong bill, in my opinion, commenced with the consideration of a river and harbor bill. It has had to do with priority of water in the Missouri Valley Basin. Senators from the irrigation States have contended that they were entitled to priority, and Senators from some other States have contended that they were entitled to some water for navigation.

Into an integrated plan which adjusts the differences between the irrigation States and the navigation States, if I may use those terms, there is now injected the proposition of diverting water from one watershed to another. I do not think that should be included in any sort of an agreement.

I am perfectly willing to agree with the irrigation States. I am anxious to compromise their differences. But I say when it comes to navigation, while under this agreement we are yielding to the irrigation States rights which we thought we had, I am not willing to yield them to different watersheds.

Mr. O'MAHONEY. Mr. President, I appreciate the attitude of the Senator from Missouri, and I say to him that he can handle that matter by offering an amendment to section 9 (a).

Mr. AUSTIN rose.

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, as one of the authors of the amendment about which the Senator from Wyoming has been talking, it is my understanding that the paragraph read, relating to page 10 of the bill, is a substitute for paragraph (b) in the amendment which is on the same subject. If it is not, that will make a great difference in my attitude toward the whole amendment.

Senators will notice on page 5 that the Connecticut River Basin is one of the subjects of consideration in paragraph (b), and that the paragraph beginning with line 3 and ending with line 7 relates to modifications of authorizations made years before. These are the subject of the separate amendment which has been read by the Senator from Wyoming.

If it is appropriate for a coauthor of an amendment such as this one, which undertakes to cover territory on both sides of the meridian, to do so, I would insist upon having this paragraph come

in as a substitute for the first paragraph (b) in the amendment. I very strongly desire to have it come in that order of consideration.

I know that the rights of the Senator apply, and I am not running counter to them. But I should like to have this subject considered in its order in the amendment, and not have it put off until after all the rest of the controversy which is being discussed is settled. This is a part of the whole policy, and it should take its place as one in the amendment. I do not like to have special discrimination made with respect to this part of the amendment. I earnestly request the Senator from Wyoming to keep this subject in the same order in which it appears in this joint amendment.

Mr. MALONEY. Mr. President, as one of the Senators hostile to the proposal of the Senator from Vermont, I urge the Senator from Wyoming to accept the suggestion.

Mr. O'MAHONEY. Mr. President, the situation can easily be described, I think. The Senator from Vermont perhaps did not overhear the conversation between the Senator from Louisiana and myself. When I undertook a few moments ago to explain the various amendments, I stated that it was my understanding that there had been substantial agreement between us and the distinguished senior Senator from Louisiana. He immediately took the floor and said that he had not agreed to the provision with respect to the Connecticut River Basin. While he did not agree with some of the things which I had said with respect to other sections of the amendment, he wanted a separate vote upon that particular matter.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AIKEN. In order to clear the situation somewhat, will the Senator from Wyoming tell us what the Senator from Louisiana did agree to? I understood earlier in the day that he had agreed to an amendment which would take care of the Connecticut River situation.

Mr. O'MAHONEY. That was my understanding.

Mr. AIKEN. The Senator now says that no such agreement was made. I should like to know to what the Senator from Louisiana did agree, and in whose behalf the agreement was made.

Mr. O'MAHONEY. Mr. President, the Senator from Louisiana may speak for himself.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WALSH of Massachusetts. Do I correctly understand that the amendment known as the O'Mahoney amendment deals with a new policy affecting flood control in the future?

Mr. O'MAHONEY. Yes; to the extent that it would grant an opportunity to affected States to participate in the planning of projects before being submitted.

Mr. WALSH of Massachusetts. But the amendment is not intended to apply to provisions in the pending bill, or to

an authorization heretofore made for flood control.

Mr. O'MAHONEY. The original proposal contained two paragraphs, one of which dealt with projects to be planned in the future, and the other with projects already planned and authorized, but with reference to which there was some objection upon the part of affected States. With the exception of the controversy affecting the Connecticut River Valley, all the controversies have apparently been settled.

Mr. WALSH of Massachusetts. Is it not a fact that the proposed amendment is in the nature of a repeal of an authorization already made?

Mr. O'MAHONEY. So far as the Connecticut River basin is concerned, the amendment is in effect a provision for a review of the projects.

Mr. WALSH of Massachusetts. The Senator is correct. In other words, the amendment would prevent the appropriation requested in the pending bill being made to carry out an authorization already determined upon and settled by the Congress.

Mr. O'MAHONEY. Yes; until reviewed on behalf of the State of Vermont.

Mr. WALSH of Massachusetts. Yes. Are there in the pending bill any projects, other than the one referred to, as to which a review would be permitted by the States affected?

Mr. O'MAHONEY. The others have all been taken up.

Mr. WALSH of Massachusetts. So we are now dealing with what I choose to call a new policy, or a new right of States which they have not before had, and at the same time we are seeking to annul action heretofore taken in the case of flood control in the Connecticut River Valley?

Mr. O'MAHONEY. Will the Senator pardon me? I did not clearly understand the last part of his statement.

Mr. WALSH of Massachusetts. While we are proposing to give an additional right to the States to review flood-control projects affecting the area of the States involved, the amendment which the Senator last read, and which relates to the Connecticut River Valley, seeks in fact to provide a review of the only proposal in the bill which is based on a previous authorization.

Mr. O'MAHONEY. No; the Senator is not entirely correct. The amendment deals with certain specified sites in the State of Vermont. It should be pointed out that the authorization, if granted, would affect at least 33 different sites. At least, that is what I have been told. I believe that this amendment deals with only 5 of them.

Mr. WALSH of Massachusetts. As indicated by the Senator's amendment, if the bill, as reported by the committee, were enacted, the flood-control projects in the Connecticut River Valley would proceed without any review of them being made by the States. Is that statement not correct?

Mr. O'MAHONEY. If the amendment should be agreed to—

Mr. WALSH of Massachusetts. It is proposed to prevent the procedure to



which I have referred, to nullify the report of the committee, and to subject this one project in the Connecticut River Valley to the review provided for in the general amendment.

Mr. O'MAHONEY. The Senator's statement is too broad, because the amendment deals only with certain dams.

Mr. WALSH of Massachusetts. But they are a part of a larger authorization, and an included authorization which has already been granted by the Congress. Am I not correct?

Mr. O'MAHONEY. Yes.

Mr. WALSH of Massachusetts. In other words, the amendment would nullify a part of a previous authorization by permitting a review with reference to one or two dams?

Mr. O'MAHONEY. Precisely. The amendment provides a modification, but it does not defeat flood control in the Connecticut River Basin because the language provides specifically for the construction of a retention type of dam not to exceed an elevation of 415 feet, Sandy Hook datum.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am very glad to yield.

Mr. MALONEY. I should like to point out to the Senator from Massachusetts that this language would in effect repeal existing law. It would do more than provide for a review. It would provide that if the Governor of the State of Vermont, for example, did not like the situation after a review had been made, we would not be able to obtain the flood control until Congress had again acted upon the matter. So the language would amount to a repeal of the law; that is the language as I last saw it.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. Mr. President, I may say that the purpose of the amendment is to give to the people of Vermont, whose property is to be taken for the benefit of the States bordering on the Connecticut River, an opportunity to be heard in the matter of whether their property should be taken from them, removed from taxation, and destroyed. The reason for the amendment is that the people of Vermont have had no opportunity to be heard. No hearings have been held in connection with the entire situation in Vermont so that the people of that State could be heard. There is one exception to that statement. I believe that one hearing was held in Bellows Falls in 1939. The people of the communities affected do not know whether they are to be flooded out by dams to be constructed for one purpose or another. The purpose of the amendment is to give them an opportunity to be heard and to present their side of the case. They should be given an opportunity to show alternate sites which might be made available for flood control purposes, and to show why their property should not be destroyed. We have not had an opportunity to be heard up to the present time.

Mr. MALONEY. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. MALONEY. I wish to ask questions, and since the distinguished chairman of the subcommittee is on his feet I shall first ask him whether the people of Vermont have had a chance to be heard.

Mr. OVERTON. The people of Vermont have had an opportunity to be heard.

Mr. MALONEY. Were they heard?

Mr. OVERTON. They were heard before the subcommittee of which I was chairman.

Mr. MALONEY. It seems to me, Mr. President, that the people of Vermont have not only had an opportunity to be heard, but have been heard on more than one occasion. I wish that my State might always have the representation which Vermont, through its two able Senators, has had in connection with this problem.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MALONEY. I am very glad to yield.

Mr. OVERTON. I should like to ask the Senator from Wyoming in what order he is presenting his amendments. I will preface that statement by saying that whatever he has read, or proposes to read, is agreeable to me as contained in the printed amendment as modified.

Mr. O'MAHONEY. Will the Senator permit an interruption?

Mr. MALONEY. Mr. President, I have the floor, and I should like to hear the conversation.

Mr. O'MAHONEY. Mr. President, what I am proposing to do is to safeguard the opportunity of every Member of the Senate to have his say and to have his voice heard. I would not come to the floor of the Senate with any proposal which would deny a Senator such an opportunity. If Senators will be good enough to allow me to proceed, I think they will find that the safeguard which I am proposing will be afforded.

Mr. MALONEY. Mr. President, I am quite willing that the Senator should proceed now and I will yield the floor to him; but before doing so I should like to caution him that, in my judgment, he jeopardizes his own proposal, because this Vermont idea is an entirely new procedure, and, if the proposal prevailed, it would destroy existing law, and in my judgment, if we had another flood it would keep open the flood gates in northern New England and probably create, as it has in the past on more than one occasion, very great damage and loss of life in the States south of Vermont.

Mr. O'MAHONEY. Mr. President, ample opportunity will be afforded to develop that point.

Now let me offer the amendment as now phrased. Mr. President, I offer on behalf of the sponsors an amendment reading as follows:

In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the

policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

Mr. President, I move the adoption of that amendment.

The PRESIDING OFFICER. The question is on the agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. OVERTON. Mr. President, this is merely a declaration of policy. It does not affect the Connecticut River Valley and it does not affect the diversion of water in the Missouri River Basin, which are the only two matters now in controversy.

Mr. CLARK of Missouri. Mr. President, I should like to observe that last week we debated here for a whole day the first paragraph of the bill as reported from the committee, at which time the distinguished Senator from Kentucky, the majority leader [Mr. BARKLEY], and the distinguished junior Senator from Montana [Mr. MURRAY] insisted that that was an effort on the part of this Congress to bind future Congresses, and at which time the Senator from Louisiana and myself insisted that one Congress could not bind the next Congress, and indeed one Congress could not bind itself for a week in the future. I simply desire to observe that I have no objection to the declaration of policy proposed by the distinguished Senator from Wyoming on behalf of himself and a number of his colleagues, but it makes more or less ridiculous the contention of the distinguished Senator from Kentucky that the declaration of policy reported by the committee was an attempt to bind future Congresses.

Mr. O'MAHONEY. Mr. President, the Senator from Missouri perhaps did not hear my reading of the words "as herein authorized." Of course, it is quite true that no Congress can bind a future Congress.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MALONEY. The Senator has made a motion that the Senate adopt certain language on pages 1 and 2, and I am assuming that he is going to make separate motions as to various other proposals. Before permitting the Senate to act on this particular one, I should like to ask the Senator one or two questions. Will the Senator tell us whether or not in his judgment this language would change existing law?

Mr. O'MAHONEY. No; I will say it is a declaration of policy.

Mr. MALONEY. Then, I want to ask the Senator this question, if I may:

Does he think that this would give the States any additional power or authority or influence than they have under existing law?

Mr. O'MAHONEY. It is a declaration of policy to recognize the rights of the States—

Mr. MALONEY. I understand that.

Mr. O'MAHONEY. And it is preliminary to paragraph (a) which I shall offer in just a moment, and which does write into law a policy with respect to cooperation in the drafting of plans, which the States do not now have. To that extent it is in addition to existing law.

Mr. MALONEY. So it would change existing law, in the opinion of the Senator?

Mr. O'MAHONEY. That is correct.

Mr. MALONEY. I want to call that statement to the attention of Members of the Senate, because, if I understand the view of the Senator from Wyoming, and his attempt in this instance, this language coupled with language which is to follow, if he is correct, would give the governors of certain States a veto power over flood control.

Mr. President, I have on many occasions stood on the floor of the Senate, oftentimes following the leadership and joining in the effort of the Senator from Wyoming, to protect the rights of the States. I am just as anxious—as anxious, I think, as anyone else could be—to keep the States free, and their rights from final extinction, but I have long since concluded that we cannot have States' rights to the degree which is desired by the Senator from Wyoming and at the same time have flood control.

I happen to live in a maritime State. What chance have we to protect ourselves against the ravages of floods if a State in northern New England can veto flood-control projects which must be constructed in that tier of States in order to protect our farm lands and our cities and the lives of our people? Such a condition could exist throughout the whole country if the original purpose of the distinguished Senator from Wyoming prevailed. I know that he is acting in all sincerity; I know that there is no more conscientious Member of the Senate than he, but I am fearful that in reaching out to help in the accomplishment of the aims of the distinguished Senator from Vermont he might imperil the seacoast and other States throughout this country, the States which need flood control. I am very hopeful, because he has so readily and sincerely admitted the purpose of this amendment that it will be defeated.

Mr. OVERTON. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. O'MAHONEY. I yield.

Mr. OVERTON. I should like to assure the Senator from Connecticut and the Senate that there is no provision in the O'Mahoney amendment as presently offered, and as will hereafter be presented, that vests any veto power in the Governor of any State. There

is no veto provision in it whatsoever. That has been eliminated entirely.

Mr. MALONEY. I understand; but the Senator from Wyoming just stated, in answer to my question, that this would change the law, if adopted in connection with additional and following language to be inserted in the proposed amendment.

Mr. OVERTON. It does not vest any power of veto in the Governor of any State whatsoever, and when Congress shall have acted upon it it will be final, unless Congress itself should hereafter in its own discretion repeal the law.

Mr. MALONEY. I disagree with the distinguished chairman of the subcommittee, who has worked so hard for this legislation over the years, and for whom I have so much admiration, but I would rather have the word, in this instance, of the Senator from Wyoming as to what the amendment would do, and he has already admitted that it would make a fundamental change in existing policy.

Mr. O'MAHONEY. Mr. President, I did not intend to burden the Senate today with any extended discussion of this amendment, but the statement which has just been made by the Senator from Connecticut impels me to state to the Senate my belief that we are dealing here with one of the most fundamental of all questions which are arising in the United States today. If we believe in the preservation of the rights of individuals to have an opportunity to say what shall be done with their property, with their economic existence, with their very lives, we must find the way to coordinate individual and local rights with these vast projects which are now possible because of the tremendous advance of engineering. I feel very deeply that what we are doing here today coincides with the fundamental philosophy of the Senator from Connecticut. I feel that the Senator is fearful of conditions which are not likely to arise at all.

Let me call the attention of the Senator and the Senate to the fact that there has been a controversy affecting the whole Missouri Valley, involving the Army engineers upon the one hand and the Bureau of Reclamation upon the other. Each one at the outset was fearful that the other was seeking to gain control over activities within the scope of the other.

The Army engineers had a plan for the development of the Missouri Basin. It dealt primarily with navigation and flood control, with incidental power. The Bureau of Reclamation had a plan for the Missouri Valley which dealt primarily with irrigation and reclamation. I felt from the very outset that it would be possible for these two agencies and their engineers to sit down together and to draw a plan by which the waters of that valley could be used to conserve the interests of everybody living in the valley; that it could be developed so as to protect irrigation and reclamation, so as to provide for the development of public power, so as to provide for all feasible and possible and desirable navigation, and so as to provide complete flood control. Finally, Mr. President, at the urging of the President of the United States and at the urging of Members of this

body who have been cooperating in this amendment, the engineers did get together, and they did agree upon a plan.

I say to the Senator from Connecticut that, in my judgment, the people of Connecticut and the people of Massachusetts will find no difficulty whatsoever in working out with the people and the public officials of the State of Vermont a completely feasible plan which will protect flood control in Connecticut and Massachusetts.

Mr. MALONEY. Will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. MALONEY. Let me say, first, that three times we have had fatal floods in Connecticut, and when the Senator from Wyoming suggests that we need not anticipate trouble, I should like to know what creates that feeling in his mind, when we have already on more than one occasion suffered millions upon millions of dollars of property loss and loss of life.

I should like to say further to the Senator from Wyoming, who says that the people should be heard on these important issues, that they are being heard through their Congress; and, so far as the Senate is concerned, the people of Connecticut must be heard through my distinguished colleague the junior Senator from Connecticut [Mr. DANAHER] and myself.

I should like to have the matter handled the way the Senator from Wyoming would do it. The New England Governors had a plan. They tried to create a flood-control compact which would have kept unto themselves the various phases of this program mentioned by the Senator from Wyoming. That, too, was encouraged by the President of the United States, and we went to work and formed a plan; it was a good plan, it came here, and the Senate accepted it. But it went to another body, and it has not been possible to get it out. So, as a representative of the State of Connecticut charged with the responsibility, in this instance, of affording proper protection of the people of my State, I take the only avenue open.

As I have said, I should like to see the matter handled in these other ways, which would afford a preservation and protection of States' rights, but the Congress of the United States has said no. It has laid down a program, it has established a policy, and because this is the only avenue I have, I am going to resist the proposal of the distinguished Senators from Vermont, as they make it through the amendment of the Senator from Wyoming.

I should like to cooperate with Vermont, I should like to see the matter worked out as they would have it. I should like to believe, and I think I do believe, that they could with the Army engineers come to an understanding, that the matter could be rearranged; but it is going to be too late, insofar as my State is concerned, if they erase the existing law, if they deny us the right or deny the Federal Government the right to build these already authorized projects on the streams of Vermont; and that is what this proposal would do.



I can understand the position of those people in Vermont, the comparatively few people who would be affected by the dam which has caused such great consternation. I can quite understand it. Under the existing situation Vermont gets very little, if any, benefit, and I think we should go as far as we can to afford them some benefit for the sacrifices, if there are sacrifices, they are called upon to make. But, Mr. President, if this Vermont amendment prevails, we go back to the last writing of a law on this subject, we take it all out, we destroy any chance for early flood-control work in the Connecticut River Basin, and in my judgment it would be a great mistake, a very great mistake, for the Senate to adopt the proposal.

I should like to see a compromise. I think probably that with the Army engineers, who have latitude, who have a right to make modifications, the people of Vermont might work the matter out, but I hope the Senate will not wipe it out by the adoption of the proposed language.

Mr. OVERTON. Mr. President, there is nothing in the provision which is now before the Senate which in any way modifies the Connecticut River Basin project. It is merely a declaration of policy, and it is a declaration of policy which has been pursued from time immemorial by the Army engineers. It merely declares:

It is hereby declared to be the policy of Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development.

And so forth.

Mr. President, that has always been the policy of the Army engineers, and there is not a Senator on this floor who can point to any project which has ever been recommended by the Army engineers or authorized by the Congress which militates against the policy herein proposed.

Mr. CLARK of Missouri. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. Of course, the Senator from Louisiana realizes that, in its first modified form as offered in the Committee on Commerce by the distinguished Senator from Wyoming [Mr. ROBERTSON], the O'Mahoney amendment—I call it the O'Mahoney amendment, although I understand it was sponsored by a very large number of Senators—did actually contain authority for the Governors of the States at the headwaters of one of these great rivers to prohibit any improvement of any sort at the other end of the river. In other words, in the judgment of the Senator from Louisiana, and in the judgment of myself, it would have permitted the Governor of Montana or the Governor of Wyoming absolutely to prohibit, on his own ipse dixit, an improvement of the jetties at the mouth of the Mississippi

River, and both the Senator from Louisiana and I very violently opposed that.

Mr. OVERTON. And it was eliminated.

Mr. CLARK of Missouri. It was decisively defeated in the committee, and I would not vote for the amendment if that had not been eliminated.

Mr. OVERTON. It has been wholly eliminated.

Mr. CLARK of Missouri. It seems to me the objection raised by the Senator from Connecticut has been met by the correction which has been made. It is a criticism which applies very justly to the first and second versions of the O'Mahoney amendment, but does not apply to the present version.

Mr. OVERTON. It has been completely obliterated, and there exists no right of veto in any Governor.

The next provision submitted by the Senator from Wyoming in subsection (a) also provides for everything that has heretofore been done by the Army engineers, with one exception, and that is, it provides that objections made by the Governor of a State shall be submitted in writing to the Chief of Engineers, and those objections shall be incorporated in any report he submits to the Congress. That is the only change. But the Army engineers have always consulted local interests. They have consulted State agencies from the very inception of a project on up to its final recommendation by the Chief of Engineers.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MALONEY. The Senator was present I think and heard the Senator from Wyoming say that he felt that the adoption of this language coupled with the language later appearing in the amendment would change the present policy?

Mr. OVERTON. Would suggest a veto power?

Mr. MALONEY. Would change the present flood-control policy of the Government. Did the Senator hear that language?

Mr. OVERTON. No; I did not hear that statement, but I will not question it.

Mr. MALONEY. The Senator from Wyoming, if I correctly understood him, did say that.

Mr. OVERTON. Whether he did or did not, it does not change the policy that has been pursued by our Government and by the Army engineers ever since I have had anything at all to do with flood-control legislation, and that has been about 12 or 13 years. They have always consulted local interests. They never have deprived any State of water that it needs. They have always looked after local uses and they have always consulted local authorities before submitting any report. This language simply puts in form what they have always undertaken to do. Therefore, there is no change of policy and there is not the slightest suggestion of a veto. That has been eliminated entirely from the O'Mahoney amendment.

Mr. MALONEY. I understand that. I felt that was the case, and I so said earlier, but in answer to my inquiry the Senator from Wyoming [Mr. O'MAH-

ONEY], the sponsor and the author of the amendment, disagreed. He said it does change the policy.

Mr. OVERTON. Well, I do not know in what connection it does change it.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. AIKEN. Do I correctly understand the Senator from Louisiana to say that the engineers consult the local authorities before putting dams into their programs?

Mr. OVERTON. They have always done so, so far as I know.

Mr. AIKEN. I wish to say that that may have been true in the Senator's section of the country, but it certainly has not been true in New England. When the Senator from Connecticut stated that the people had a chance to be heard at a hearing, through their Senators, that was perfectly correct, but when they do not have a chance to be heard is when dams are being planned for their communities, and when the first they know about the matter is after the dams are already written into the program. I was Governor of Vermont 4 years, and just once was I ever consulted about any proposed dams. That was when a dam was partly finished, and they wished to modify the contract in some way, and then I had to be consulted. But they did not consult the local people.

I will make one exception. In 1939 they had one hearing at Bellows Falls on the West River Dam when local people were permitted to appear. After that hearing the site of the dam was moved several miles and the local people were not notified about it, they knew nothing about it until they saw the engineers working there taking their soundings in the rock about a year ago. I must say that local authorities are not notified or consulted in any way in my section of the country.

Mr. OVERTON. Does the Senator object then to a provision that does require them to consult the local authorities?

Mr. AIKEN. I think they ought to be required to consult them before a dam is written into the program.

Mr. OVERTON. Very well. That is what this language provides.

Mr. AIKEN. I agree that the people have a chance to be heard through their Members of Congress after the dam is already written into the program, but not before.

Mr. MALONEY. Mr. President, will the Senator yield to me?

Mr. AIKEN. I yield.

Mr. MALONEY. The Senator knows that they do have a chance to be heard before the dam is constructed. The Senator knows that if he notifies the Army engineers that he wants a hearing to be held on any proposed project in any area, the hearing will be arranged.

Mr. AIKEN. But when no one knows that the project is contemplated, how can notice be served that a hearing is desired to be held?

Mr. MALONEY. The Senator can arrange tomorrow, in a blanket request, to have hearings on every project in his State, even though they are yet unborn,

simply by sending notice to the Army engineers.

Mr. AIKEN. I am not saying what can be done in the future. I am saying what has been done in the past, and I know that no one has taken a stand more in favor of the local people having a right to be heard than has the Senator from Connecticut.

Mr. MALONEY. That is correct, and they have been heard in my State.

Mr. AIKEN. I should like to quote from a speech made on the Senate floor—

Mr. OVERTON. Mr. President, before the Senator does that, will he yield to me?

Mr. AIKEN. I yield.

Mr. OVERTON. The Senator stated that while he was Governor of Vermont he was never consulted with respect to any project that was being built by the Army engineers. Was there any project of flood control built by the Government while the Senator was Governor of Vermont except a project built by the C. C. C. on the Winooski River?

Mr. AIKEN. Yes; one.

Mr. OVERTON. The Army engineers had nothing to do with the project on the Winooski River. There was no occasion to consult with the Army engineers with respect to that project.

Mr. AIKEN. The Army engineers did plan to construct one dam while I was Governor. The engineers never notified me with respect to it. They never notified any State officials about it until they found they had to relocate the highway, and then they notified the highway department that they would have to move the road. That was the first notification we ever had.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] inserting at the proper place lines 1 to 4, on page 1, down to and including line 13, on page 2, of the printed amendment intended to be proposed by him, setting forth a declaration of policy.

Mr. WALSH of Massachusetts. Mr. President, I wish to make an observation or two in reference to some features of the discussion which has taken place here today. The United States Government can walk into any city in the country, even in peacetime, and take one-quarter or one-half of all its water front for the building of a navy yard, and the local authorities have nothing to say about it. Even in time of peace, and not as a war measure, the United States Government repeatedly goes into communities and takes large portions of those communities for cantonments and for development of Army and Navy stations. It does so both in time of peace and in time of war. I know that in some communities in my State two-thirds of their areas have been confiscated because of the military need of defending our country. Very appropriately has flood control been under the control of the Army, because flood control affects human life. The war against flood is a war inside our own land. It is a war against the destruction of property and the destruction of human life.

The Government cannot take land for a naval base without representatives of the Government appearing before the Committee on Naval Affairs and having a hearing on the matter. A flood-control project cannot be initiated without the Army engineers holding hearings on the subject. Representatives of the Army engineers come before the committees of Congress, and hearings are held in both the House and the Senate respecting the wisdom and the propriety and the necessity for taking the property in question and damming streams in order to save human life and to promote and protect navigation.

It seems to me that we ought to realize that we are dealing with something perhaps even more vital than the preparation for national defense, that is, preparation for defense of life and property here at home. We ought not to go to extremes because of the fact that a given community has been opposed to a particular dam or is opposing the use of a particular site, which opposition, if successful, would result in thwarting the purpose for which the project is intended, that is, the control of floods and the prevention of the awful damage resulting from floods.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. AIKEN. I should like to ask the Senator from Massachusetts if it is not a fact that the State of Massachusetts and every other State by law gives its consent to the acquisition of land by the Federal Government for post offices, docks, navy yards, and that representatives of the Government come to the Senator's committee to obtain authorization for the money needed for the project, not for authorization to take the land, which has already been granted by the State.

Mr. WALSH of Massachusetts. Under the Constitution the Federal Government has the right to take the land from the States for the purposes enumerated.

Mr. AIKEN. But each State has a law—and I am sure the State of Massachusetts has one—providing that it may grant its consent to the Federal Government to acquire land for the purposes which the Senator has mentioned.

Mr. WALSH of Massachusetts. For defense purposes, that is true.

Mr. AIKEN. Some of the States have in their laws the words "other needful buildings," which, according to the Supreme Court interpretation, may mean almost anything for which the Federal Government may want the land.

Mr. WALSH of Massachusetts. I believe attempts have been made to include dams in the word "buildings."

Mr. AIKEN. That is true.

Mr. WALSH of Massachusetts. The Senator suggested that no hearing was held in Vermont, but he will recall that when he was Governor he and I discussed this same project in an effort to reconcile the various groups in New England.

Mr. AIKEN. If at the time I had been Governor matters had been left to the Senator from Massachusetts and myself, the question would have been settled sat-

isfactorily a long time ago. The State of Vermont would not have suffered any serious damage, and the people of Massachusetts would have had protection.

Mr. WALSH of Massachusetts. I appreciate the compliment.

Mr. WEEKS. Mr. President, it seems to me that some misapprehensions should be cleared up. Some Senators may have gained the impression that this is a new subject, insofar as the Connecticut River Valley is concerned. After the flood of 1927, which was very disastrous in Massachusetts and Connecticut, the engineers began to study methods of alleviating the suffering and loss of life and property occasioned by the floods which for years have been ravaging that valley.

I should like to point out, Mr. President, that in discussing the Connecticut River Valley we are not discussing irrigation or reclamation. We are not discussing power. We are discussing nothing but flood control, as specified in the terms of the bill reported by the committee.

Commencing after the 1927 flood the engineers studied 275 different sites for dams to protect the lower valley of the Connecticut River. They finally settled upon a project involving 20 dams and dykes on the lower river. Those dams would, if erected, take care of 25 percent of the drainage area of the whole Connecticut River Valley, and would take about 6 feet off the peak of the flood in the lower Connecticut Valley. At first the States of New Hampshire, Vermont, Connecticut, and Massachusetts attempted to make a compact, but in 1938, by the act of that year, the United States took over the administration of flood control, and the procedure from that point on was for the Federal Government to take care of flood control in toto. So the compact idea went overboard at that time.

In 1938 this project was established and agreed upon. The project involved 20 dams to take care of flood control in the Connecticut Valley. In effect, the project was reaffirmed in 1941, in the act of that year. So I may say, Mr. President, that for the past 6 years and prior to that time, in all the discussions among the States involved, every one of the four States which I have mentioned, namely, Connecticut, Massachusetts, Vermont, and New Hampshire, has been thoroughly acquainted with the situation and the necessity for doing something. Not only were the State officials acquainted with the problem, but also the people were familiar with it. For 10 or 12 years past we have all been fully acquainted with the situation.

Twice, in the act of 1938 and the act of 1941, a policy was established; and now, as I see it, with respect to the established policy of the Federal Government looking toward adequate flood control in the Connecticut Valley, by this amendment the clock would be turned backward, and in effect we would have to start all over again.

I wish to point out that in an 11-year period we had three disastrous floods, involving great loss of life, and a property



loss, direct and indirect, amounting to nearly \$150,000,000. In my judgment any attempt at this time to turn the clock back and to make the States of Massachusetts and Connecticut start all over again on flood control will be very injurious to a situation which has been so troublous and so disastrous to the people of the lower Connecticut Valley.

Mr. AUSTIN. Mr. President, let me say just a word about the first paragraph of the O'Mahoney amendment. It ought to be adopted, even though it should change the law in reversal, because all it lacks for is the doctrine of cooperation between the Federal Government and the States. If there is any ground upon which we can all unite with respect to the general policy of government in the United States, it is the ground of cooperation. Many times we in Congress are vexed by the fact that two governments exist upon every foot of land in this country. Each State has two governments to obey, and two loyalties to keep. Occasionally those governments are found in conflict; and the conflict comes before us in the Senate to be resolved upon a specific issue. We are troubled by it many times. We are troubled to distinguish between that which belongs to the Federal Government and that which belongs to the State government. Often we become divided, I think without reason, for it is the purpose of every Senator to serve the welfare of the whole. That is the main objective.

The reason why we have insisted upon preserving the Federal system, with State autonomy well protected against encroachment by an ever-growing Central Government, is that we have learned by experience that that type of government has outlived any other type of government in the world, and has been successful in preserving the common welfare. This is the oldest Government in the world, in terms of having existed unchanged for the longest period of time.

Now we are entering upon a very important period of our political history, and both great parties, during the past few years, at least, have declared the purpose not to change from the Federal system into an enormous national system which attempts to cover the whole country by a horizontal obligation.

When we undertake the control of waters, we are immediately confronted by the question to which I have referred, because every great river basin in the United States is different from the others. Among other questions which arise is the question of rights. I do not like to talk about rights; yet we may have to do so before we are through with this debate.

Of course, we must consider the question of the desires of the people, the will of the people. We, with our enormous power, should not override the will of the people in any river basin. If such basins have characteristics which are geological, or otherwise, which make their problem peculiar, should we not give due regard to the wishes of those people in devising our plan for them? Oh, Mr. President, I think that is a perfectly reasonable thing.

All that section 1 does is to write into law, to crystallize it in black and white, that we are about to declare a policy of cooperation between the Federal Government and the State governments on the subject of flood control. That is all the paragraph does.

The discussion of the Connecticut River Basin and its peculiar problems has not been reached, for the paragraph we are now considering relates to the whole United States, and declares a great principle. When it says, "To facilitate the consideration of projects on a basis of comprehensive and cooperative development," it declares a great principle. It is one upon which we can unite, and we can avoid the appearance of always being in a fight with the Federal Government in order to have a chance to present our view. It is a very uncomfortable thing for me as a Senator to appear in the Committee on Commerce or in a subcommittee of it and to seem to be in opposition to the views of the Army engineers. I should be there cooperating as fully as possible, but I cannot do so when I have never before had a chance to act, because they had not crystallized a plan and submitted it. Until then I cannot act effectively, and your committee cannot do so. Your committee cannot act because it has not had before it the wishes or the views of the people.

I now hold in my hand a design for one of these river valleys comprehending 8 different sites, instead of one, and protecting our friends and neighbors almost as much as the single high dam would protect them. I shall point that out in detail later.

But as for the principle of cooperation, it is wholesome, and we should unanimously adopt the first paragraph.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The question is on agreeing to the amendment of the Senator from Wyoming [Mr. O'MAHONEY] inserting at the proper place the language contained in the printed amendments on page 1, down to and including line 12 on page 2, setting out a declaration of policy.

Mr. WEEKS. Mr. President, I understand that we are about to vote on the first paragraph of the so-called O'Mahoney amendment. Is that correct?

The PRESIDING OFFICER. The vote about to be taken will be on that part of the amendment setting forth a declaration of policy.

Mr. WEEKS. Down to line 13?

The PRESIDING OFFICER. Down to line 12.

The question is on agreeing to that portion of the amendment. [Putting the question.]

As it appears to the Chair, the "ayes" have it, and that portion of the amendment is agreed to.

Mr. O'MAHONEY. Mr. President, I now offer the amendment which appears in the printed amendments, beginning in line 13 on page 2, and including all of page 3, and all of page 4 down to and including line 20. It is what is known as subparagraph (a).

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

In conformity with this policy:

(a) Plans, proposals, or reports of the Chief of Engineers, War Department, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and, to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or part are concerned with the use or control of waters arising west of the ninety-seventh meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph (a) shall be with the Governor of the State or such official or agency of the State as the Governor may designate. The term "affected State or States" shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State lying wholly or in part west of the ninety-eighth meridian; and such of those which are east of the ninety-eighth meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans for construction and operation of the proposed works and the plans, if any, submitted by the affected States and by the Secretary of the Interior. The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, to the Secretary of the Interior. Within ninety days from the date of receipt of said proposed report, the written views and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of War may prepare and make said transmittal any time following said ninety-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document.

Mr. OVERTON. Mr. President, there is no objection to that amendment.

Mr. MALONEY. Mr. President, I should like to ask a question regarding the amendment. As originally drawn, the entire amendment made provision that the interested parties outside the Federal Government could hold up the projects until the Federal Government accepted their plan or the matter needed to go back to Congress again. Is there any provision in this language which would enable any State to hold up a project for further action by the Congress?

Mr. O'MAHONEY. Oh, no.

Mr. MALONEY. I thank the Senator.

Mr. O'MAHONEY. We have been very careful about that.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. O'MAHONEY. Mr. President, in view of the fact that the senior Senator from Vermont [Mr. AUSTIN] a moment ago pointed out that the Connecticut River Basin provision is a substitute for what was originally in the O'Mahoney amendment, and in order that the matter may be determined, I now offer the following amendment:

On page 10 of the bill, strike out lines 3 to 7, inclusive, and insert:

"Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont. Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act."

The paragraph (a) to which reference is made in the amendment is the paragraph (a) which has just been adopted.

Mr. MALONEY. Mr. President, I am misled by the words "Sandy Hook." Is the point from which the elevation is measured Sandy Hook, N. Y.?

Mr. O'MAHONEY. I shall ask the Senator from Vermont to explain that.

Mr. AUSTIN. I understand it to be the datum employed by the Army Engineers as the basis of stating the elevation of dams for our neighborhood.

Mr. MALONEY. Is it 415 feet above sea level at Sandy Hook?

Mr. AUSTIN. I do not know that. It is an arbitrary datum.

Mr. AIKEN. I am sure it is.

Mr. O'MAHONEY. Mr. President, that is my understanding. Sea level at Sandy Hook is the base from which elevations are taken.

Mr. MALONEY. Is the reference to Sandy Hook, N. Y.; Sandy Hook, Conn.; Sandy Hook, Vt.; or any other Sandy Hook?

Mr. O'MAHONEY. I assume that Sandy Hook, N. Y., is meant. At any rate, it is a word of art which is understood by the engineers.

The PRESIDING OFFICER. In view of the fact that the amendment has been read by its author, it will not be read at the desk.

The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. MALONEY. Mr. President, the pending amendment is the one which would do violence to my State, and it might well establish a precedent which would do harm to any other State under similar circumstances. The amendment is a new one. It was never considered by the committee. It came to the Senate only this afternoon. It would upset a program heretofore established. It might wipe out all the projects already planned. In my judgment it would destroy the aim and the effort of the Army engineers and of others who are or who have been affected by the dangers of floods in the lower part of New England.

There may be some Senators who have never seen a serious flood. But I have seen the waters roar in my State. During one of the serious floods there, one was able to go into a leading hotel in Hartford by boat. Millions and millions of dollars' worth of damage was done to the cities of that State. Farms were destroyed. Livestock on the farms was destroyed. Many lives were lost.

The adoption of this language, should another flood come, would permit the roaring waters again to destroy lives and property in the maritime State whence I come.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. WALSH of Massachusetts. Would it not also nullify the \$17,000,000 already spent on flood control by the Federal Government, which is only a small part of the program?

Mr. MALONEY. Mr. President, I do not know whether it would nullify the \$17,000,000, but if a flood the like of which we earlier had should occur, we would be denied the right to build to a proper protective state the work which has already been begun.

I never heard of any part of this proposal before. I am a member of the Committee on Commerce. The subcommittee met for a long time. It seems to me that, quite apart from the many other objections, it is a very unusual request to ask that the States of New England not only stop a program which is well on the way, but be denied the right to continue the program until some future action by the Congress has been taken. I do not know when another flood-control bill will be presented to the Senate. The pending bill involves the expenditure of almost a billion dollars. If the pending bill is passed, and we come to the after-the-war policy, and the natural efforts toward economy which I hope and pray will then be made, it seems to me most unlikely that the Congress will soon undertake to pass another flood-control bill.

I realize that there is always present the possibility that the Congress will pass a separate bill affecting some area

of the country. But that is not easy, as Senators know. I beg Senators to believe that, in my knowledge, at least, they would do us and the rest of the country a very great injustice by agreeing to this part of the so-called O'Mahoney amendment.

Mr. President, as I have already said, I want to cooperate with the State of Vermont. My State enjoys a splendid relationship with the State of Vermont in every possible way. The names of many towns in both States are similar because in the early history of Vermont the people of that State adopted the names of many of the towns in Connecticut. Many people from Connecticut moved into Vermont. I believe the original constitution of the State was an adaptation of—

Mr. AUSTIN rose.

Mr. MALONEY. Am I incorrect in my statement?

Mr. AUSTIN. Mr. President, I know what the Senator has in mind. He has in mind the original statutes of the two States. Our constitution was largely influenced by the first Pennsylvania Constitution. But the first statutes of Vermont were passed in the midst of great commotions just preceding the Battle of Bennington, and the men were in such a hurry, because they were all warriors, to rush to Bennington that they passed a resolution substantially as follows:

We adopt the laws set forth in the Connecticut Lawbook, and in defect thereof, the laws of God as set forth in the Holy Bible.

There is a very strong connection, spiritually and in other ways, between Connecticut and Vermont, and I hope this little flurry will not disturb it in any way whatever.

Mr. MALONEY. Mr. President, what the Senator has said was what I was endeavoring to say, but perhaps in a clumsy way. I am very grateful to the distinguished historian, the senior Senator from Vermont, for his assistance.

I should like to point out that the State of Vermont is still represented in a large part, and particularly at this moment, by the kind of warrior who was once hastening off to war at Bennington, and in the interim was willing temporarily to adopt the laws of the State of Connecticut, if protected by the laws of God.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AIKEN. My colleague, the distinguished senior Senator from Vermont [Mr. AUSTIN], has given the history as we understand it in Vermont. But whenever I go to Connecticut I hear that the people of Vermont met and agreed to abide by the laws of the State of Connecticut and the laws of God until they had time to devise better ones. [Laughter.]

Mr. MALONEY. The Senator is correct, and the people of Vermont are still endeavoring to improve their position, as is evidenced by the work of its two great Senators.

Mr. President, perhaps it is well to have momentary facetiousness during the consideration of a very serious subject such as the one before us. I shall not



talk long about it because we have been talking quite a long time about it already.

The issue is clear. The proposal made is easy to understand. The proposal is that the Army engineers shall not undertake to construct the flood-control projects already planned, and it would wipe out the project of one dam on the West River, the so-called Williamsville Dam. The Army engineers have told us that the construction of that dam is more necessary than is any other project in the program of providing proper flood protection for the lower Connecticut River Valley.

If there were another way to approach the problem, if another avenue were open to us and I, as one Member of the Congress could cooperate, I would be anxious to do so. But all other avenues have been closed.

By the hearings which were held in regard to the matter, the long study made of it, and the consultations had with the people of Vermont, as well as the hearings which were held by Congress in which the people of Vermont were heard, it is evident that the plan already agreed to is the proper one.

As I understand, the real issue is the so-called Williamsville Dam. During the holding of hearings we were told that the project would not only bring about destruction by the inundation of fertile valleys but would necessitate moving a great many people and their properties away from the areas affected. The truth of the matter is, as I have been advised by the Army engineers, that in connection with this particular project, the one which has created the pending controversy, only 70 persons would be involved. Only one small cemetery would be affected. I make that statement on the basis of information furnished me by the Army engineers, supported by the statements of others who made an examination of the proposal.

Mr. President, there has just been handed to me by the distinguished junior Senator from Massachusetts [Mr. WEEKS] a statement which I understand was prepared by the Army engineers. It states the drainage area, how much land would be needed, and about all the additional information which one would need in carefully examining the project. I shall ask that it be printed in the RECORD after I have referred to some of the items contained in it.

The total number of sets of buildings located in a town affected by the Williamsville site amounts to 55.

No churches are involved. There are no commercial buildings involved. There is involved one small industrial establishment. I believe it is a woodworking plant.

There are two small cemeteries. There would be a need—and all of us regret this—to relocate 350 graves. That is serious. There is a great sentimental attachment, almost a reverential attachment, to graves, but on the other hand there are the millions of people in the lower valley who would be endangered by a serious flood.

I understand the town affected, and first shown on this paper, is the town of

Harmonyville. There are 70 people in the town of Harmonyville. I think there is a fear on the part of the Senators from Vermont, a fear which I cannot understand as justifiable, that the Army engineers have a broad power, under the existing law, and that they might

some time later build a dam at another point.

I ask that the table to which I have referred be printed in the RECORD.

There being no objection the table was ordered to be printed in the RECORD, as follows:

Comparative data, flood-control dams

Designation	Unit	West River, Vt.		
		River mile 5.3, West Dummerston site	River mile 8.3, upper Williamsville site	River mile 10.8, Newfane site
Drainage area.....	Square mile.....	407	400	326
Flood control, storage.....	Acre-feet.....	152,000	149,500	105,000
Spillway crest (flow line—flood-control pool).....	Elevation, mean sea level.....	462	478	486
Reservoir area.....	Acres.....	2,770	2,800	2,130
Swampland.....	Acres.....	55	55	155
Urban.....	Acres.....	55	50	145
Pasture.....	Acres.....	165	170	.....
Cultivated.....	Acres.....	390	400	.....
Agricultural (including pastureland).....	Acres.....	.....	.....	1,500
Woodland:				
Cut over.....	Acres.....	390	400	.....
Not classified.....	Acres.....	.....	.....	500
Woodland (standing timber).....	Acres.....	1,715	1,725	.....
Dwellings (sets of buildings).....	Each.....	81	55	60
Churches.....	Each.....	2	0	.....
Schools.....	Each.....	1	0	.....
Commercial buildings.....	Each.....	4	1	.....
Industrial establishments.....	Each.....	4	1	.....
Cemeteries.....	Each.....	4	2	.....
Graves (would be relocated).....	Each.....	850	350	350
Population (United States census 1940):				
West Dummerston.....	.....	100	.....	.....
Harmonyville.....	.....	70	70	70
Total in reservoir area <sup>2</sup> .....	.....	300-350	200-250	1 200-250
Total estimated cost.....	.....	\$14,000,000	\$6,280,000	\$4,513,500

<sup>1</sup> Estimated.

<sup>2</sup> Based on average of 4 persons per dwelling.

<sup>3</sup> Includes wide base and provisions for future power.

<sup>4</sup> As reported in H. Doc. No. 724.

Mr. AUSTIN. Mr. President—

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Connecticut yield to the Senator from Vermont?

Mr. MALONEY. I yield.

Mr. AUSTIN. If the Senator is about to leave the subject of the number of people affected by a low dam, would he permit an interruption at this point?

Mr. MALONEY. I have always permitted an interruption.

Mr. AUSTIN. I should like to call his attention to the testimony of Mr. Tier, who resides in the valley there. He stated, as appears at page 168 of the hearing in the Senate committee:

Mr. TIER. Mr. Chairman, I would just like to make the correction of an error that I think was made here on the population. This matter of the low dam and the high dam seems to be very confusing to everyone. This estimate that Mr. Bush made was on a high dam. Now, on a low dam, or with any dam, in fact, West Dummerston would be inundated, and there are about 300 people comprising that population. It would affect Newfane, probably not wholly, but there are 850 people there.

Senator CORDON. How many?

Mr. TIER. Eight hundred and fifty. That would not affect the whole village. Brookline would be flooded out—about 150 people. Harmonyville would be flooded out, on either dam—150.

Senator CORDON. What portion of Brookline would be flooded out, would you say? What proportion of the population would be rendered homeless?

Mr. BUSH. On the high dam it would be all gone except one or two.

Senator CORDON. And on the low dam?

Mr. BUSH. On the low dam there would probably be five or six houses left.

Senator CORDON. The low dam then would substantially obliterate it.

Mr. BUSH. Yes.

I thank the Senator for permitting me to put this in at this place.

Mr. MALONEY. I am very glad to have it.

Mr. AIKEN. Mr. President—

Mr. MALONEY. Will the Senator permit me to comment on this matter?

Mr. AIKEN. I was about to make another factual suggestion.

Mr. MALONEY. Please proceed.

Mr. AIKEN. In regard to cemeteries, it appears from the data that there are 6 cemeteries involved, with 1,075 graves. I think probably the Army engineers took the 1 modern cemetery, and very likely forgot to count the old ones, where there are hundreds of graves of pioneers.

Mr. WEEKS. Mr. President, will the Senator from Connecticut yield?

Mr. MALONEY. I yield.

Mr. WEEKS. I think the figures the Senator has just cited are not applicable to the particular dam which the engineers now tell me is going to be constructed if this authorization is provided for, and I think the Senator has the figures pertaining to that dam.

Mr. AIKEN. Mr. President, the trouble is that we do not know from day to day just what kind of a dam the engineers plan to construct, or where they are planning to construct it. That is why we are trying to attach amendments to the bill, so that we will have some knowledge as to what is to be done.

Mr. MALONEY. If the Senator succeeds in having his amendment agreed to, he will not need to seek more knowledge; the whole program will stop.

Mr. AIKEN. I think these figures are for the high dam which I understand the engineers hope eventually to construct.

Mr. MALONEY. As a result of the efforts of the Senators from Vermont, or the people of Vermont, the bill provided, as it came here, that it should be a low dam, and it is written in the law.

Mr. AIKEN. But we have no definition of a low dam.

Mr. MALONEY. I have not, either, but I understood there was a desire on the part of the people of Vermont that that language be included. I think it is the difference between a power dam and a nonpower dam. I had believed they should have made provision in the plans for the future use of the dam for power if the need arose.

Mr. AIKEN. I think the Senator will find that the amount of money requested would provide, even though it were a low dam, for building a base on which it would be possible to add, later, a considerable height to the dam, thus making it a high dam.

Mr. MALONEY. I favor that.

Mr. AIKEN. They would be building it in stages, instead of all at once.

Mr. MALONEY. Yes.

Mr. AIKEN. The effect on the State, though, would be about the same.

Mr. MALONEY. The purpose of that would be, as the Senator so well knows, to provide for power if there were later a need for power, and I think it is pretty wise to go about it in that way.

Mr. AIKEN. Let me ask the Senator now if he is insistent on the prohibition against the development of power at any of these dams in Vermont.

Mr. MALONEY. I did not understand the Senator's question.

Mr. AIKEN. The committee wrote into the bill a strict prohibition against the development of any power at the dams to be constructed on the tributaries of the Connecticut River in Vermont.

Mr. MALONEY. What is the Senator asking me?

Mr. AIKEN. Does the Senator believe it is just to say that the Government is to take our land, take our valleys, and use the storage space to maintain the flow of the Connecticut River down the river for the benefit of the power plants in Massachusetts, and at the same time insert a prohibition saying that we simply cannot generate one horsepower of power at the dams?

Mr. MALONEY. No; I am not in sympathy with that, and I have so stated on many occasions, unless it would seriously interrupt the flood-control program. If it would not impede the effort toward flood control to a very serious extent, I would favor having that language removed from the bill.

Mr. AIKEN. The Senator would trust the Army engineers to see to that, would he not?

Mr. MALONEY. I certainly would.

Mr. President, it has been a long time since I noted that the figures which I used, and the material which I asked to have inserted in the RECORD, which is the only means I have of contradicting the statements of the Senators from Vermont concerning cemeteries and population, were prepared for the Senator from Massachusetts by the Army engineers, and I should dislike to be-

lieve that they are overcareless in the compilation of statistics and figures.

Mr. AUSTIN. Will the Senator yield?

Mr. MALONEY. I yield.

Mr. AUSTIN. I have not the advantage of the knowledge of the Senator from Massachusetts with respect to the height of the dam contemplated by the engineers in stating these figures. I wonder if he is willing to give us that information.

Mr. MALONEY. I am having this matter put in the RECORD.

Mr. AUSTIN. I know, but does it go in the RECORD as expressing the view of the Army engineers today as to the height of the dam?

Mr. MALONEY. I think this is on the basis of a so-called low dam, as is provided in the bill, but I have no definite knowledge of the height of the dam.

Mr. AUSTIN. That is the trouble with this whole matter.

Mr. MALONEY. This statement is based on a low dam.

Mr. AUSTIN. I understand, but that is one of the troubles with the text of the bill and the text of the existing law, and that is one of the defects we desire to correct. It will not deprive Connecticut or Massachusetts of the protection they should get, and will not delay it. But I shall discuss that in my own time and not hold up the Senator.

Mr. MALONEY. I shall continue to be hopeful that before these projects are constructed, or before construction is started at all, the people of the State of Vermont and the Army engineers will be able to come to a satisfactory understanding. All I am aiming to do here today is to prevent the interruption of a flood-control program in its entirety. I do not care what form it takes so long as it gives us flood control, a proper flood control, or flood-control projects which are reasonably proper. How they come, where they are located, does not interest me one bit. If we can get the same protection by going elsewhere than Williamsville, that is all right with me. I am concerned because an effort is made to stop the whole program, to deny us the right given to all the other States under the bill, to anticipate the further flood-control plans which are contemplated under the language of the existing law. I do not want to permit the destruction of the progress already made. I do not want to see the people of my State or the State of Massachusetts or any other State subjected to the dangers of devastating and roaring floodwaters that are almost certain to come again some time. We have had terrible experiences in recent years. Some of our war plants, plants used for war work, plants engaged in producing materials used later in war, on the banks of this river, suffered great losses. Food so sorely needed by the people all over the world, and particularly by our own people, was destroyed in those floods, and other food might well be destroyed should we have another serious flood. But all this is superfluous. Senators understand all of this as well or better than I do, but I want to emphasize, as I urge their protection to us, what this provision would do to the States of Con-

necticut and Massachusetts, and what it would do to the Connecticut River Valley, as it would do to no other valley in the land. It would stop us where we are, and let us look into the uncertain future, knowing that our hands are tied.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. MALONEY. I have finished, but I will be pleased to yield.

Mr. DANAHER. I should like to ask my colleague a question, if he has the bill before him and will turn to page 10, lines 5 to 7. The committee amendment reads:

*Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.*

Supplementing as it does the authorization of a \$30,000,000 appropriation for the comprehensive flood-control program, it would not do violence to the views of my colleague, would it, if the committee amendment were adopted?

Mr. MALONEY. To which committee amendment does the Senator have reference?

Mr. DANAHER. The committee amendment on page 10, lines 5 to 7, inclusive.

Mr. MALONEY. I have no reason to believe that it would do violence to my views.

Mr. DANAHER. I believe the Senator's answer is compelled by the argument which he has offered. With that statement let me offer the following: If we were to adopt the committee amendment, and take in addition the first sentence of the substitute which has been offered by the Senator from Wyoming—and to refresh the Senator's recollection I will read the first sentence from the substitute:

*Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention-type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston and Newfane in the State of Vermont.*

If we were to take that sentence, and add it to the committee amendment on page 10 we not only would accomplish the result argued for by my colleague so ably, but we would also protect the State of Vermont according to the assertions which its Senators make on this floor, as I view them. I, therefore, would rephrase the entire committee amendment and modify it to read as follows, and I will ask my colleague's judgment on it:

*Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power: And provided further, That nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam other than a retention-type dam not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the town of Dummerston or Newfane in the State of Vermont.*

Let me, then, suggest to my colleague that if the amendment were modified to read as I have just read it, not only could the comprehensive flood-control program go forward without interruption, but it could also go forward without



doing violence to the town of Dummerston or Newfane in the State of Vermont. Moreover, it would provide that no dam other than a retention-type dam could be erected which would exceed elevation 415 Sandy Hook datum so far as the State of Vermont is concerned.

Mr. MALONEY. I do not know, I will say to the Senator, what the 415-foot Sandy Hook datum really means. I would have to have the advice of the Army engineers. It has just been called to my attention that the present plan provides for a dam 478 feet high, so there is a difference that might be of great moment in connection with this construction.

Mr. DANAHER. Am I not correct? Will my colleague the Senator from Connecticut yield for a further question?

Mr. MALONEY. I certainly will for as many as my colleague desires.

Mr. DANAHER. I was simply trying to see if we could not resolve the difference between the viewpoint which has been argued by my colleague and that which has been argued by the Senators from Vermont. If we were to agree to the entire substitute offered by the Senator from Wyoming, it is clear that there would be an effective interruption of the accomplishment of comprehensive flood control until plans were submitted to the Congress in accordance with paragraph (a) of the earlier amendment adopted. My colleague, the Senator from Connecticut, is eminently correct in that assertion. I hope that perhaps we could work out a solution of the conflicting viewpoints along the lines I have suggested.

Mr. MALONEY. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AIKEN. May I make an observation to the Senator's colleague with respect to the remarks he has just made?

Mr. MALONEY. I am glad to yield for that purpose.

Mr. AIKEN. There is one other thing it would accomplish which the Senator did not call to our attention. It would provide that the Federal Government would condemn the land and take the property of our people in the Vermont valleys. It would provide that dams be constructed at Federal expense. It would provide that the State of Vermont could never salvage one cent from the electric energy produced or the cheaper electric power which might be produced there. It would turn over 100 percent of the electric power at these dams in the State of Vermont to the private utility companies of the States of Massachusetts and Connecticut. That is the main thing it would accomplish.

Mr. MALONEY. I should like to say first that I cannot understand the observation that the Federal Government would go into Massachusetts and Connecticut to dispose of power created by the Federal Government in Vermont.

Mr. AIKEN. The Senator knows that for years it has been the dream of the utility companies in the States of Massachusetts and Connecticut to have dams erected in Vermont so they could employ down below the electric power generated by the increased flow of the Connecticut.

Mr. MALONEY. I do not know that. I am not now ready to believe that that is true. And I am not ready to believe that the Senator is correct in his assertion that the Federal Government would own and build a dam and take power therefrom down into Massachusetts to dispose of it to private companies. That would not be done by this administration, it would not be done by the power authority we have in Washington now. It would not be permitted by the Senate.

Mr. AIKEN. I do not care what administration it is. If those reservoirs are constructed in Vermont and the water is let out in such a way as to maintain the flow of the Connecticut River below, the public utilities in the States of Massachusetts and Connecticut would get 100 percent of the benefit. This amendment would prohibit the State of Vermont from getting 1 cent of value out of the \$56,000,000 which it is proposed to spend on dams in the Connecticut Valley.

Mr. MALONEY. I understand that this language came out of Vermont.

Mr. AIKEN. Before I get through I am going to write into the Record the names of every one of the dams there. I will tell the Senate just how much public utilities would profit by the proposal we have before us to prohibit the production of power in Vermont, and to give the Government the unlimited right to construct storage reservoirs there.

Mr. MALONEY. Let the record be clear that the Senator from Connecticut is not opposed to the creation of power in Vermont. The Senator from Connecticut has said that he thought it would be wise, in the construction of these dams, to look into the future, to the possibility of a need for power in that area at a later date; and if we should find a reasonable likelihood of a need for power, these dams should be constructed in such a manner that they may later be used for the creation of power.

Mr. AIKEN. I give the Senator credit for saying that he has no objection to it; but why is there insistence on a proposal against the production of power in Vermont being written into the bill?

Mr. MALONEY. I do not know where the proposal came from.

Mr. AIKEN. I do. It was offered by the Senator from Louisiana [Mr. Overton]; and there is nothing anywhere to show that anyone from Vermont asked for it.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. OVERTON. That is an incorrect statement. It was proposed by the senior Senator from Vermont [Mr. Austin] that there be a prohibition against these dams generating power. I am sure the senior Senator from Vermont will admit authorship of the proposal.

Mr. MALONEY. There are many who believe that it would be extravagant to talk about power in connection with some of these little streams.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AIKEN. In view of what the Senator from Louisiana has said, will the Senator from Connecticut permit me to read from the printed hearings?

Mr. MALONEY. Certainly.

Mr. AIKEN. I read from page 193 of the printed hearings:

Senator OVERTON. Well, now, suppose we—I will advance a step forward in my compromise—and this is purely a matter of compromise, of course. I can speak only for myself, but I just want to feel your pulse, as it were, as we go along. Personally I would be in favor—we will eliminate the West River dam. All right; no dams on the West River. And we will remove power generation from all the other dams; we will prohibit the generation of power on all the other dams. How about that?

That is the first time the proposal was made. According to this record, it was not made by anyone from Vermont.

Mr. OVERTON. Mr. President—

Mr. MALONEY. Mr. President, I am anxious to yield the floor, but I yield to the Senator from Louisiana.

Mr. OVERTON. When this question came up the junior Senator from Vermont and the senior Senator from Vermont were present at the hearings. At first there was objection not only to the Williamsville site dam, or the Dummerston Dam, they being one and the same, but there was objection to other dams. Finally we reached the point where there was a rather slight objection to other dams than the Williamsville site dam. The senior Senator from Vermont, in an off-the-record discussion—and possibly some of it is in the record—stated that he desired that no power be generated at any of the Vermont dams.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AUSTIN. Let me add to that a phrase which qualifies it to some extent—except by negotiation with the people of the State, and with their consent. That qualification runs through the whole matter.

Mr. OVERTON. That had escaped my attention.

Mr. AUSTIN. Provided the people consent.

Mr. OVERTON. The senior Senator from Vermont will agree with me that the suggestion that no power be generated at those dams was a suggestion emanating from the senior Senator from Vermont.

Mr. AUSTIN. I think it emanated not from the senior Senator from Vermont but from witnesses, notably Mr. Philip Shutler and the master of the National Grange. I have the testimony, and I intend to call attention to it when I discuss this subject. That is where the question first arose, showing, first, that we must take into account the difference in the burden of cost which arises from a dam built for power, as against a dam built solely for retention in flood control. That was Mr. Shutler's point. He was trying to ascertain whether the damages which had been comprehended in the cost took into account a flood-control dam or, on the contrary, a dam erected for the purpose of permitting at some time the production of electric energy.

That is only one side of it. Along comes the master of the National Grange

and points out how little alluvial land there is in Vermont, and how much more damage is created in rendering useless our farms in Vermont by the construction of dams capable of generating power than results from the construction of dams solely for retention, to prevent floods. So far as the master of the Grange was concerned, the whole point was that in those cases the people should have an opportunity to be heard on the question. As the Senator from Louisiana knows, that is the important thing in the mind of the Senator from Vermont. The people should have an opportunity to be heard.

Mr. OVERTON. Mr. President, will the Senator further yield to me? I had not completed my statement.

Mr. MALONEY. I yield to the Senator for the purpose of completing his statement. Then I shall yield the floor.

Mr. OVERTON. Mr. President, I do not know where the idea of no generation of power at the Vermont dams may have originated; but certainly I think the senior Senator from Vermont will agree with me that he was at least an endorser of that proposal.

Mr. AUSTIN. That is correct.

Mr. AIKEN. Mr. President—

Mr. OVERTON. Mr. President, I should like to continue. I have the floor, by the good grace of the Senator from Connecticut [Mr. MALONEY].

Mr. MALONEY. That is true.

Mr. OVERTON. Finally, since the main objection was to the Williamsville site dam, it was suggested that no power be generated at any of the Vermont dams. Personally I do not care whether power is generated at the Vermont dams or not; but since that suggestion had been made, and the senior Senator from Vermont, in whose good judgment I have absolute confidence, was a reliable sponsor, at least, of that proposal, I made the suggestion that we could compromise the difficulty, so far as I was personally concerned, without undertaking to bind the committee, by eliminating the Williamsville site dam entirely, and by a provision that no power should be generated at any of these dams.

That appeared to be acceptable. If the junior Senator from Vermont made any objection, I have no recollection of it. All this took place in his presence. I think he made some slight observation to the effect that he was not altogether certain whether it was agreeable to him to remove the generation of power from these dams.

That, Mr. President, is the sum and substance of the whole story. I thank the Senator from Connecticut.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. WALSH of Massachusetts. Has there not been a policy in the Committee on Commerce to provide for the development of electricity at flood-control dams if it is considered feasible?

Mr. MALONEY. I so understand. I do not know whether or not it could be called a fixed policy or not. I defer to the Senator from Louisiana.

Mr. WALSH of Massachusetts. If the people of Vermont were really afraid that electricity which might be developed

there would be taken away from them, it could easily be provided in the amendment that whatever electricity was developed there should be used in the State of Vermont.

Mr. MALONEY. I do not know whether that would be possible, with the use of Federal funds.

Mr. WALSH of Massachusetts. At least a preference could be provided for.

Mr. MALONEY. Yes, I think so.

Mr. WALSH of Massachusetts. It seems to me that this whole question comes down to a proposal to create a new policy and to prevent the generation of electricity when it can be generated at flood-control dams. So far as I am concerned, I want every dollar spent by the Federal Government on such projects to be used, if it is humanly possible, for the development of electricity and for the sale of it to the people at the lowest possible cost.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AUSTIN. Let me ask the senior Senator from Massachusetts if he would want to do that entirely at the cost of the homes of the people in our river valley?

Mr. WALSH of Massachusetts. Of course not.

Mr. AUSTIN. I did not think so.

Mr. WALSH of Massachusetts. I am assuming that the Army engineers will recommend the building of a dam primarily for flood-control purposes; but an incidental purpose may be the development of electricity. I think it is a shame that in all this legislation one dam in a particular State should be selected at which no electricity may be developed, when it is the policy of the committee to develop electricity if it can be done.

Mr. AUSTIN. Mr. President, that is not the situation. Already we have struck out of the bill projects which heretofore had been agreed to. We have struck them out entirely.

Mr. WALSH of Massachusetts. Does the Senator mean that projects already agreed to, by which dams are to be built and electricity generated, have been stricken out of the bill? Have they been stricken out so that no electricity will be generated?

Mr. AUSTIN. No; they have not been stricken out for that reason. We have stricken out the projects entirely. We are not asking for what the Senator has suggested, certainly.

Mr. WALSH of Massachusetts. The result has been that a new policy has been adopted, if possible to prevent the development of electricity at these dams.

Mr. AUSTIN. No, Mr. President; I do not think that is true.

Mr. WALSH of Massachusetts. That is so in this case, at least.

Mr. AUSTIN. No; I do not think that is true. Heretofore no Senator has had trouble in getting these plans modified on the floor of the Senate. I have heard many Senators arise and move a modification of these plans, and such modification has been adopted without any trouble.

Mr. MALONEY. Mr. President, I should like to say to the Senator that I think the reason for that in this instance is that the projects are in one State and

the flood-control needs are in another. It so happens that Vermont cannot be hurt by floods to the extent that we in the lower valley can.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. Certainly.

Mr. AUSTIN. If we are smaller than Connecticut and smaller than Massachusetts, and if we have a smaller population, yet we are constricted in the area we can occupy. I maintain that it is equally bad, if not worse, to flood us out by artificial means in order to protect Massachusetts and Connecticut. I maintain that it is equally bad, if not worse, to fill our valleys with water and drive our people out of the valleys and perhaps out of the State, because if this plan is carried to its logical conclusion and if every valley is flooded, we shall have nothing left in Vermont but a tracery of mountain tops.

Mr. MALONEY. That would not be a logical conclusion, let me say to the Senator.

Mr. AUSTIN. Let me point out to the Senator that there are to be 20 dams in the whole project. Either 10 or 11 of them are to be in Vermont; I am not certain whether one of them was agreed upon. But certainly 10 of them are to be in Vermont, and on that side of the mountains they take in all the valleys which lead into the Connecticut River. Mr. President, should we not be heard at least on the question of the type of dams?

Mr. MALONEY. Of course, the Senator's State has been heard, and it will have a chance to be heard further.

Mr. AUSTIN. I regret very much to say it was not heard. It is such a curious—

Mr. MALONEY. As I understand, representatives of the Senator's State testified at the hearings on the subject on three occasions, namely, 1933, 1941, and this time.

Mr. WALSH of Massachusetts. The attorney general of the State has been present at all those hearings, every time a matter of flood control affecting Vermont has been before the Congress.

Mr. AUSTIN. Yes; that is to say, with respect to legislation. I am talking about plans in the field.

Mr. MALONEY. I presume that the Army engineers had more consultations with the distinguished junior Senator from Vermont [Mr. AIKEN], when he was Governor of Vermont, than they did with the Governors of many other States of the Union.

Mr. AUSTIN. The question was asked whether the people of Vermont favor or oppose the use of these dams for flood control. While that question was being asked there was delivered to me a telegram from a prominent leader of thought in Vermont, who, I think, is well known to many Senators here, Ralph E. Flinders. His telegram reads as follows:

BOSTON, MASS.,

November 28, 1944—3:48 p. m.

HON. WARREN R. AUSTIN,

United States Senate,

Washington, D. C.:

I very much hope that in connection with pending legislation you will be able to arrange to protect the inhabitants of the West



River Valley. To my mind this is best done by recognizing in legislation the principle that no power project, public or private, should be imposed on a State without its own consent and that flood control should be arranged by negotiation.

RALPH E. FLANDERS.

Mr. President, that is substantially our position.

Mr. MALONEY. I think I could subscribe to that. I am not sure, but I think I could. I believe a flood-control plan should be worked out by cooperation. We have always endeavored to do it that way. That is the policy of the Army engineers and it is the policy of the Congress. But Vermont now says, "You must hear us. You must accept our decision or you cannot have flood-control projects in our State."

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. Of course.

Mr. AUSTIN. I wish to have the Senator yield for a friendly observation. Let me say that I promise to try to show that what we ask will not stop the work, will not set back the work, and will not affect the whole plan for the valley, even so far as it relates to Vermont. Only a small part of the project is involved, and that part of it is not likely to be reached even if we do not amend the law before another session of Congress. But, as the Senator has inquired, when will we have another flood-control bill?

Mr. MALONEY. When will we have another flood? That concerns me more.

Mr. AUSTIN. The flood has not yet arrived. We do not wish to have a flood imposed upon us by building a dam around us. That is the main thing. All this protection can be had without flooding us out. I am sure the Senator is for that.

Mr. MALONEY. I am for every bit of cooperation I can give the State of Vermont to the extent that it does not increase the flood dangers in my State.

Mr. WEEKS. Mr. President, will the Senator yield?

Mr. MALONEY. I yield the floor.

Mr. WEEKS. The distinguished senior Senator from Vermont [Mr. AUSTIN] has said that in the amendments which have been adopted some projects have been abandoned. The point I should like to make is that we are in the middle of this project which in total involves approximately \$75,000,000—\$45,000,000 has already been authorized and appropriated—\$17,000,000 has been spent in erecting dikes at Hartford and at Springfield. Those dikes have been erected to a height which would be adequate for flood-protection purposes if the dams which are a part of the total project were constructed and put into operation.

Twenty-eight million dollars has also been authorized and appropriated for the erection of some of the dams among the 20. Three of the dams in the State of Massachusetts have already been constructed.

So, Mr. President, the point I wish to make is that this is not a case of abandoning a project. It is the interruption of the orderly construction of the entire number of 20 dams and the dykes

on the lower Connecticut River which go to make up the project as a whole.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming offered as a substitute for lines 3 to 7 on page 10 of the bill.

Mr. CAPPER. Mr. President, I am pleased to have a telegram from Mr. E. K. Dean, president of the Kansas Farmers' Union, with respect to the pending flood-control bill. I ask unanimous consent that it be printed in the RECORD, as a part of the debate on the pending proposed legislation.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALINA, KANS., November 28, 1944.

Senator ARTHUR CAPPER,

Senate Building:

Our organization is bitterly opposed to the flood control and rivers and harbors bills presently being considered. We abhor the efforts of special interest groups to pass legislation foreclosing the people's rights to full development and use of the vast resources of our valleys. The bills now under consideration will waste vast sums of money in partial development of our river valleys for the protection of and use by special-interest groups. We urge you to use all of your influence to have these bills carried over to the next session of Congress when time will be available to give proper consideration to full development of our valley resources in the interest of all of the people. Will appreciate your inserting this telegram in the CONGRESSIONAL RECORD.

KANSAS FARMERS' UNION,  
E. K. DEAN, President.

Mr. AUSTIN. Mr. President, if the amendment is agreed to, this is how the bill, on page 9, line 21, would read as respects the Connecticut River Basin:

#### CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$30,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Connecticut River Basin: *Provided*, That nothing in this act or in any previous au-

thorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane, in the State of Vermont. Plans proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

In order to understand the relationship to the project which has been discussed, I read from the report of the Board of Engineers for Rivers and Harbors dated April 18, 1940, which is designated as House Document No. 724, and is expressly referred to by number in both the acts relating to the project for which appropriations are requested in the amendment before us. I refer to the act of June 28, 1938, and the act of August 18, 1941.

"1." That is a reference number.

Under the heading "Reservoir" appears "Knightville."

Under the heading "Stream" appears "Westfield."

Drainage area in square miles, 164. Capacity, acre-feet, 39,300.

Flood control, \$2,318,000.

Adaptations for power, \$433,000.

Total flood control plus adaptations, \$2,751,000.

That is No. 1. There are 20 of those items. They comprehend river valleys in the Connecticut River Basin, in Massachusetts, and in Vermont.

Mr. President, I ask unanimous consent to have the remainder of this table printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Reference No.	Reservoir	Stream	Drainage area (square miles)	Capacity (acre-feet)	Costs		
					Flood control	Adaptations for power	Total flood control plus adaptations
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Knightville	Westfield	164	39,300	\$2,318,000	\$433,000	\$2,751,000
2	West Brookfield	Chicopee (Quabog)	106	33,900	2,317,000		2,317,000
3	Barre Falls	Chicopee (Ware)	57	24,300	965,000		965,000
4	Tully	Millers (Tully)	50	22,150	665,000	94,000	759,000
5	Birch Hill	Millers	175	49,900	3,005,000		3,005,000
6	Honey Hill	Ashuelot (South Branch)	70	26,200	1,935,000		1,935,000
7	Surry Mountain	Ashuelot	100	32,500	1,620,000		1,620,000
8	Claremont	Sugar	245	78,400	5,160,000		5,160,000
9	West Canaan	Mascoma	80	34,100	2,240,000	280,000	2,520,000
10	Sugar Hill	Ammonoosuc	246	91,600	6,530,000		6,530,000
11	Williamsville	West	400	150,000	5,960,000	320,000	6,280,000
12	Cambridgeport	Saxtons	58	21,600	1,975,000		1,975,000
13	Brookway	Williams	101	32,300	2,944,000		2,944,000
14	North Springfield	Black	102	33,400	2,018,000		2,018,000
15	Ludlow	do	56	23,900	1,741,000	459,000	2,200,000
16	North Hartland	Oraunquichee	222	71,100	3,630,000		3,630,000
17	South Tunbridge	White (First Branch)	102	32,600	2,275,000		2,275,000
18	Gaysville	White	220	84,300	4,080,000	705,000	4,785,000
19	Union Village	Ompompanoosuc	126	30,200	1,944,000	432,000	2,376,000
20	Victory	Passumpsic (Moose)	66	28,200	1,023,000	392,000	1,415,000
	Total		2,752	939,950	54,345,000	3,115,000	57,460,000

<sup>1</sup> Exclusive of drainage area above Ludlow.

Mr. AUSTIN. Of those 20 projects at least 10 are in Vermont, and the proposal before the Senate is to have a review of only the following: Cambridgeport, Ludlow, South Tunbridge, and Gaysville.

Mr. President, I ask Senators to examine them and see what proportion of the entire project they represent, and then answer the question whether this amendment would stop the project of flood control in the Connecticut River Basin.

Cambridgeport is No. 12 on the table.

Mr. WEEKS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WEEKS. Did the Senator from Vermont include the West River Dam in his table?

Mr. AUSTIN. Certainly not. I am talking only about those projects which would be held up by the amendment. The West River Dam project has been authorized specifically as to height. I believe this is the first time it has appeared in anything about which we in Congress know.

Mr. President, allow me to read the first sentence and then I will return to what I was undertaking to do. This is the part which relates to the West River Dam.

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont.

That is all there is on that point. That would not knock out the protection which would be afforded the cities and villages and farm lands lying to the south, so far as the West River Valley is concerned. The dam is higher than the one which has been considered by the local people, which has an elevation of spillway of 410 feet above the datum to which I have referred. We have offered 5 additional feet in order to be on the conservative side.

Mr. MALONEY. Mr. President, may I ask the Senator from Vermont a question?

Mr. AUSTIN. I do not want to get too far away from what I started to prove.

Mr. MALONEY. I merely wanted to ask the Senator how he arrived at the elevation 41, Sandy Hook datum.

Mr. AUSTIN. We arrived at it from the surveys made by our local people in undertaking to find an alternative plan which would protect our good neighbors south of us and not inundate us beyond reason. This project would result in the inundation of some of our buildings, and we would have to remove houses and people and find places for them elsewhere. But the dam is what I regard as being the lower dam. When we previously discussed the matter, without any figures representing the elevation of the spillway, and speaking of the dam as the low dam, I thought of the dam at 410 feet elevation. The one proposed would have a leeway of 5 additional feet.

Mr. MALONEY. Mr. President, I shall not interrupt the Senator at the present time, but I should like to question him later.

Mr. AUSTIN. Yes; indeed. I am very greatly concerned to have my neighbors from Connecticut and Massachusetts understand our position, because it is of the greatest importance to us to continue the feeling of interest in each other's welfare which we have always had. I consider that far more important than the other questions here involved. I want to be able to discuss the question with them on that basis so that we can come to an understanding instead of pulling apart. There is no other basis on which I wish to discuss the matter.

What I am undertaking to prove is that we are not asking by the proposed amendment to stop the project of flood control in the Connecticut River Basin. We are not attempting to defer anything more than a small part of the project. We are asking only for sufficient deferment to enable us to present our views to the Army engineers. That is all. Ninety days would be sufficient.

Mr. President, I return to what I was undertaking to prove.

Mr. MALONEY. Mr. President, I dislike to interrupt the Senator now, but I am afraid the Senate may misunderstand me if I do not interrupt him. If I correctly understood the Senator, he said that all he asked for was 90 days' delay and that the matter might be adjusted within that length of time. I do not think that would be possible.

Mr. AUSTIN. Let us see. We will not come to that yet, if the Senator will excuse me for trying to finish the point I am making. We will take up the other point later.

Mr. MALONEY. I am sorry I interrupted the Senator.

Mr. AUSTIN. I am claiming that the proposals or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville comprehend relatively small parts of the total Connecticut River Basin projects. I shall start with the first one, Cambridgeport.

Mr. WEEKS. Mr. President—

Mr. AUSTIN. Will not the Senator let me go on for a brief time?

Mr. WEEKS. I merely desire to comment on that part of the Senator's statement.

Mr. AUSTIN. The Senator may comment later. Let me do what I have started out three times to do.

At Cambridgeport the stream is the Saxtons River. Drainage area, 58 square miles. Capacity, acre-feet, 21,600. Flood control, \$1,975,000. There is nothing allowed there for power. Total flood control, plus adaptations, \$1,975,000.

Now let us look at Ludlow. Ludlow is the fifteenth item on the Black River. Consider now the area of drainage. Drainage area, square miles, 56. By the way, Mr. President, that is the smallest one of all the 20. Capacity, acre-feet, 23,900. Flood control, \$1,741,000. Adaptations for power, \$459,000. Total, \$2,200,000.

Now we come to South Tunbridge. That is the seventeenth item. It is on White River. First, as to the drainage, the drainage area, in square miles, is 102. Capacity, acre-feet, 32,600. Flood con-

trol, \$2,275,000. Nothing for adaptations for power. Total, \$2,275,000.

The last one is Gaysville, on the White River. Drainage area, square miles, 226. Capacity, acre-feet, 84,300. Flood control, \$4,080,000. Adaptation for power, \$705,000. Total, \$4,785,000.

Now, Mr. President, compare those figures to that whole project. The drainage area for the project is 2,752 square miles. The capacity in acre-feet is 939,950. Flood control, \$54,345,000. Adaptations for power, \$3,115,000. Total, flood control, plus adaptations, \$57,460,000.

Mr. President, I am glad to have been able to put these figures into the RECORD tonight, because if anyone cares to examine them overnight before we take up the question tomorrow, he will see how absurdly small the claim is that by postponing so that we can have a chance to consider the question whether these funds for adaptation for flood control should be spent, and especially whether the valley in these particular instances should be flooded the extra amount required to generate electricity, we would be hindering the plan adopted by the Congress for those particular valleys.

Mr. President, it is not necessary for us to make a hard and fast declaration that in every instance we are against the use for generating electricity of these waters which are impounded for flood control. We would not want to take that position. We want to be able to examine each case on its merits, and I know my colleague the junior Senator from Vermont [Mr. AIKEN] takes that position. Is not that so?

Mr. AIKEN. The Senator is correct.

Mr. AUSTIN. Any attempt to drive a wedge between him and me on that point will fail, because I believe we are in agreement on it. Is not that so?

Mr. AIKEN. We can agree on this amendment; in fact, we have been working together on the amendment, and in looking through the report I cannot find any place where my colleague asked for the prohibition on power, as has been stated.

Mr. AUSTIN. I am glad my colleague has called attention to that point.

Mr. AIKEN. Although the figures which my colleague has read are the figures which were submitted last spring, there have been great changes in some of them since they were released last spring, particularly as to the Williamsville site, and changes are still taking place, I find on inquiry of the Army engineers.

Mr. AUSTIN. We are not aware of that; we do not know exactly what the correct figures are. All we know is that they have been sufficiently changed to make this appropriation which comes before us today \$30,000,000.

Mr. AIKEN. For instance, the figures my colleague has read show that the cost of flood control at Williamsville was \$5,860,000, and for adaptation of power \$320,000, or \$6,280,000 in full. It was stated in the committee, as I recall, that the contemplated cost would be about \$29,100,000. I have with me a letter from the Army engineers.



Mr. WEEKS. Mr. President, will the Senator from Vermont yield?

Mr. AUSTIN. I yield.

Mr. WEEKS. I think the dam which is involved in the \$29,000,000 figures has not been under discussion for some time. Certainly the committee report involves a dam which on the record is to cost \$6,280,000, and I do not think the \$29,000,000 figure has been in the picture for quite a while.

Mr. AIKEN. When I speak in my own time I shall put this letter in the Record, showing that the figure "\$6,280,000" has been greatly changed. The letter is signed by Colonel Goethals, so I think it is accurate.

Mr. AUSTIN. Mr. President, I think I am not overemphasizing this point with respect to the question of whether Vermont is unreasonable in asking for this amendment. If Vermont were asking that the entire Connecticut River project should be suspended for the purpose of a review, some people might regard that as a wise thing to do, but that is not the situation, and the complaint made here that that is what we are effecting by the amendment we have offered, that is, holding up the protection of Massachusetts and Connecticut from floods, is not accurate. That is what I want my colleagues to understand. Therefore, I call attention to the relative importance of these valleys, protection of which would be postponed long enough for a review.

Here is No. 12, Cambridgeport, drainage area square miles 58. Comparing 58 square miles with the total, 2,752 square miles, it can be seen how utterly ridiculous it is to take the position that this provision would tie up the whole project.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. MALONEY. I am very sorry I was called from the Chamber and did not hear the Senator's statement, and I am even more sorry, for my sake, that I have been called from the Chamber again. I should like to ask the Senator a question at this point which he might consider overnight.

Mr. AUSTIN. Yes.

Mr. MALONEY. Was the name "Williamsville" left out of the first sentence of the proposed amendment by error?

Mr. AUSTIN. No; I do not think so. Williamsville is on the West River.

Mr. MALONEY. Yes. I will tell the Senator what I mean. The first sentence reads as follows:

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, \* \* \* on the main stream of the West River, in the towns of Dummerston or Newfane in the State of Vermont.

I was wondering if the Senator would be willing to add the town of Williamsville there?

Mr. AUSTIN. There is not any town of Williamsville. I think Williamsville is a station.

Mr. MALONEY. Is it in one of those two towns?

Mr. AUSTIN. It is in one of those two towns.

Mr. MALONEY. It would be agreeable to me if we could have that understand-

ing. Then I was wondering if the Senator would be willing to change the dam height from 415 to 478 feet, or the figure for a low dam given by the Army engineers.

Mr. AUSTIN. I will consult those who are here from Vermont representing the State government and who have knowledge of technical matters which I do not have.

Mr. MALONEY. If the Senator would be willing to consider those two features, the inclusion of the town of Williamsville, unless it is in the town of Dummerston or the town of Newfane, and the modification or the change in the figures of the height of the dam from 415 to 478 feet as the low dam height, I think there is a strong likelihood that we might be able to reach an agreement.

Mr. AUSTIN. Then, Mr. President, might I save energy by suspending at this point so as to consult with people who can advise me in answer to this proposition, and so far as I have any privilege to reclaim the floor in the morning I should like to save that privilege.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator ask that he be given the floor tomorrow when the Senate convenes?

Mr. AUSTIN. Yes; if I can obtain unanimous consent.

Mr. O'MAHONEY. Mr. President, would there be any objection if we were to proceed with some of the other features of the amendment?

Mr. AUSTIN. Tonight?

Mr. O'MAHONEY. Yes.

Mr. AUSTIN. I have no objection at all. My last statement was provoked by my good friend the Senator from Connecticut [Mr. MALONEY] suggesting a compromise which may be accepted. It all depends on whether this height of dam is within reason or not and within the principle of getting the maximum amount of control of floodwaters at the minimum amount of damage to the people in the valley.

Mr. O'MAHONEY. Then, Mr. President, let me say that there are—

Mr. WHITE. Mr. President, will the Senator from Wyoming yield to me before he proceeds further?

Mr. O'MAHONEY. Surely.

Mr. WHITE. I hope the Senator from Wyoming will not urge that the Senate proceed at this hour to other matters. In the first place I think it is unfortunate to have new matter projected into the middle of a talk by the Senator from Vermont. But beyond that, it is now after 5 o'clock. There is but a handful of Senators present. It would be difficult in the extreme to get many more here, and I understand further that the acting majority leader, the Senator from Alabama [Mr. HILL], has other matters that he would like to dispose of this evening.

Mr. O'MAHONEY. Mr. President, the only reason I made the suggestion was that there are some items which are altogether noncontroversial.

Mr. WHITE. I never yet have been able to make certain what was noncontroversial and what was controversial.

Mr. O'MAHONEY. Those matters on which the Senator from Maine and I agree are noncontroversial.

Mr. WHITE. In other words, the matters upon which we agree are right.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I do not have the floor. I simply rose to make a suggestion.

Mr. CLARK of Missouri. Well, whoever has the floor is requested to yield. The Souris River Valley project, the diversion of water from one watershed to another, represents a highly controversial proposal. I am not disposed to interfere with consideration of noncontroversial portions of the Senator's amendment, but I do not wish any agreement to be made which would preclude me from offering an amendment which would prohibit such a diversion.

Mr. O'MAHONEY. I would not think of doing such a thing.

Mr. CLARK of Missouri. I am sure the Senator would not.

Mr. OVERTON. Mr. President, the senior Senator from Pennsylvania [Mr. DAVIS] wishes to offer several amendments on behalf of himself and the junior Senator from Pennsylvania, which are not controversial. The senior Senator from Pennsylvania has been waiting here all day for an opportunity to dispose of the amendments. Also the Senator from Iowa [Mr. GILLETTE] has an amendment which is not at all controversial. The amendments I mentioned can be considered and agreed to quickly, I am sure. The Senators I have referred to would like to be accommodated in this respect, and I should be very happy to accommodate them.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. OVERTON. I yield to the Senator from Pennsylvania to offer the amendments.

Mr. DAVIS. Mr. President, on behalf of the junior Senator from Pennsylvania [Mr. GUFFEY] and myself I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 11, it is proposed to strike out lines 19 to 24 inclusive, and on page 12 it is proposed to strike out lines 1 and 2.

Mr. HILL. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HILL. I take it there is no controversy between the distinguished junior Senator from Pennsylvania and the senior Senator from Pennsylvania with respect to this amendment.

Mr. DAVIS. No, Mr. President. Both the junior Senator from Pennsylvania and I have agreed on this and three other amendments I am about to offer.

Mr. HILL. Mr. President, I take it from a rather hasty examination of the amendments that they relate simply to projects affecting the State of Pennsylvania?

Mr. DAVIS. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Pennsylvania on behalf of himself and

the junior Senator from Pennsylvania [Mr. GUFFEY].

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the senior Senator from Pennsylvania on behalf of himself and his colleague will be stated.

The LEGISLATIVE CLERK. On page 26, it is proposed to strike out lines 16 to 20 inclusive.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment offered by the Senator from Pennsylvania on behalf of himself and his colleague.

The LEGISLATIVE CLERK. On page 38, following line 22, it is proposed to insert: "Juniata River and tributaries, Pennsylvania, with special reference to the proposed Raystown Reservoir."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment offered by the Senator from Pennsylvania on behalf of himself and his colleague.

The LEGISLATIVE CLERK. On page 39, following line 13 it is proposed to insert "Youghiogheny River Basin, Pa. and Md."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERTON. Mr. President, on behalf of the Senator from Iowa [Mr. GILLETTE] I offer an amendment which is not objectionable, and which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 17, after line 13, it is proposed to add the following: "Provided, That the elevation of the crest of the spillway of the dam shall not exceed 780 feet above mean sea level."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LANGER. Mr. President, I should like to ask the Senator from Vermont a question. Are lines 5 to 7, inclusive, on page 10, included in the Senate's amendment, or are they eliminated?

Mr. AUSTIN. Mr. President, that is a very important question. The effect of this amendment, as now presented, is to do exactly the same thing that is called for in my original amendment, but the finger is pointed at the precise river valleys, instead of covering everything generally. It is pointed right at the valleys that are named in the amendment. Notice this language:

Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tumble, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18,

1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

Section (a) was adopted by the Senate just before we took up this amendment. It provides for notice to the State authorities of the modifications to be made. There was a big blanket of modifications to be made in the discretion of the Secretary of War and the Chief of Engineers. We not only vested the Federal Government with complete control, but we named the men who should be able, in their discretion, tomorrow to modify the plans agreed upon in Congress. This language eliminates that power. In effect, it provides that that general authority is now taken care of by us. We say that any modification heretofore made shall come under section (a).

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. LANGER. Does it or does it not strike out lines 5 to 7 on page 10 of the bill?

Mr. AUSTIN. As I understand, it does.

Mr. LANGER. In order to make it clear, let me read it:

*Provided further*, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

Mr. AUSTIN. I had not caught the point of the Senator's question. I do not believe it strikes out that language. I do not think it could, that being a committee amendment.

Mr. AIKEN. Is there any objection to withdrawing the committee amendment?

Mr. O'MAHONEY. That is for the committee to do.

Mr. AIKEN. That would go a long way toward straightening things out.

Mr. O'MAHONEY. Mr. President, I am sure if the Senator from Louisiana [Mr. OVERTON] were consulted about it, he would have no objections to the elimination of the committee amendment; but I am not the one to speak for the committee, of course.

Mr. CLARK of Missouri. Mr. President, I object to the elimination of the committee amendment until we find out what is going in in its place. I am perfectly willing to agree on the compromise when we know what the compromise is. As a member of the committee, I certainly object to the elimination of the committee amendment until we know what is to take its place.

CONTINUATION OF GENERAL MARSHALL AS CHIEF OF STAFF

Mr. GURNEY. Mr. President, it is my understanding that the pending business, the flood-control bill, is being passed over until tomorrow. I intend to ask unanimous consent for the consideration of a bill passed by the House yesterday. An identical bill was approved by the Senate Committee on Military Affairs last Friday and is now on the Senate Calendar. It would allow the retention of General Marshall as Chief of Staff of the Army. I refer to Senate bill 2192, Calendar No. 1210. The Senate

Military Affairs Committee reported a bill in the identical language of the measure passed by the House. So I ask unanimous consent that House bill 5493 be substituted for Calendar 1210, Senate bill 2192, and that the House bill be now considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota?

Mr. HILL. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. HILL. Of course, the Senator is asking that the flood-control bill, the pending business, be temporarily laid aside, and that the Senate consider the House bill to which he has referred?

Mr. GURNEY. I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to consider House bill 5493; also that Senate bill 2192 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none.

The Chair lays before the Senate a bill coming over from the House of Representatives, which will be read.

The bill (H. R. 5493) to provide for the continuation on the active list of the Regular Army for the duration of any of the wars in which the United States is now engaged, and for 6 months thereafter, of any officer on the active list of the Regular Army who has served as Chief of Staff during the wars in which the United States is now engaged was read the first time by its title and the second time at length, as follows:

*Be it enacted, etc.*, That neither the provisions of the act of June 30, 1882 (22 Stat. 118), which require the retirement of an officer on the active list of the Regular Army upon attaining the age of 64 years, nor any other similar provisions of law, shall for the duration of any of the wars in which the United States is now engaged, and for 6 months thereafter, be applicable to any officer on the active list of the Regular Army who, prior to the enactment of this act, has served as Chief of Staff during the wars in which the United States is now engaged.

The bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2192 will be indefinitely postponed.

#### RIVER AND HARBOR IMPROVEMENTS

Mr. CONNALLY. Mr. President, I submit two amendments to the river and harbor bill, and ask that they be printed and lie on the table.

The PRESIDING OFFICER. The amendments will be printed and lie on the table.

#### EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:



By Mr. WHEELER, from the Committee on Interstate Commerce:

George M. Barnard, of Indiana, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1950, vice Joseph B. Eastman, deceased.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). If there be no further reports of committees, the clerk will state the nominations on the Calendar.

#### THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. HILL. Mr. President, as I understand, under the agreement those nominations will be passed over.

The PRESIDING OFFICER. Without objection, the Army nominations will be passed over.

#### OFFICE OF WAR MOBILIZATION AND RECONVERSION—ADVISORY BOARD

The legislative clerk proceeded to read sundry nominations of members of the Advisory Board in the Office of War Mobilization and Reconversion.

The PRESIDING OFFICER. Without objection, the nominations in the Office of War Mobilization and Reconversion are confirmed en bloc.

#### THE JUDICIARY

The legislative clerk read the nomination of Joseph W. Kehoe to be United States district judge for Division No. 2 of Alaska.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Gerald A. Gleeson to be United States attorney for the eastern district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Steve M. King to be United States attorney for the eastern district of Texas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Jordan B. Royall to be United States marshal for the northern district of Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

Mr. HILL. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. TAFT. Mr. President, have all the nominations on the executive calendar been confirmed?

Mr. HILL. With the exception of those in the Army. They went over.

The PRESIDING OFFICER. That is correct.

#### RECESS

Mr. HILL. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, November 29, 1944, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate November 28 (legislative day of November 21), 1944:

##### DISTRICT OF COLUMBIA

Guy Mason to be a Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified.

##### OFFICE OF WAR MOBILIZATION AND RECONVERSION

##### MEMBERS OF THE ADVISORY BOARD

##### Public members

O. Max Gardner  
William H. Davis  
Anna M. Rosenberg

##### Labor members

William Green  
Philip Murray  
T. C. Cashen

##### Agriculture members

Edward A. O'Neal  
James C. Patton  
Albert S. Goss

##### Industry members

Eric A. Johnston  
George H. Mead  
Nathaniel Dyke, Jr.

#### THE JUDICIARY

##### UNITED STATES DISTRICT JUDGE

Joseph W. Kehoe to be United States district judge for division No. 2 of Alaska.

##### UNITED STATES ATTORNEYS

Gerald A. Gleeson to be United States attorney for the eastern district of Pennsylvania.

Steve M. King to be United States attorney for the eastern district of Texas.

##### UNITED STATES MARSHAL

Jordan B. Royall to be United States marshal for the northern district of Florida.

#### IN THE MARINE CORPS

##### PROMOTIONS, FOR TEMPORARY SERVICE

To be major generals, for temporary service, from dates indicated

Earl C. Long, from January 7, 1944.  
Pedro del Valle, from January 10, 1944.  
Louis E. Woods, from September 10, 1944.  
Field Harris, from September 10, 1944.

To be brigadier generals, for temporary service, from dates indicated

William T. Clement, from October 3, 1942.  
Louis R. Jones, from October 4, 1942.  
Joseph H. Fellows, from November 9, 1944.

#### POSTMASTERS

##### ALABAMA

Leon C. Taylor, Deatsville.  
Frances M. Beatty, Eldridge.  
Horace P. Haynes, Hodges.  
Lella M. Weekley, Perdido.  
Vira Cox, Wilmer.

#### ARIZONA

Hickey Ross Henderson, McNary.  
James M. Owens, Safford.  
Warren E. Ware, Superior.

#### CALIFORNIA

Arthur J. Meyer, Atwood.  
Josie F. Ratto, Calistoga.  
Mary Elizabeth Bowden, Canby.  
Charles C. Toland, Covina.  
Oliver H. Ueberham, El Modeno.  
Howard P. Heintz, Graton.  
Dorothy M. Stewart, Ione.  
Virgil E. Combs, McFarland.  
Delma Lois Justus, Mission San Jose.  
Christine Hansen, Penngrove.  
Leon A. Parker, Rio Dell.  
John Jolly Jones, Sr., Seal Beach.  
Ray L. Dowden, Shandon.  
Mary Jane Davis, Stanton.  
Mathus Reed Wolfskill, Suisun City.  
Laurence L. Hodge, Tuolumne.  
Ruby J. Cunningham, Ukiah.  
Abbie E. Schaeffer, Vernalis.

#### MASSACHUSETTS

William C. Young, Millbury.  
Ruel S. Thayer, Bellingham.

#### MISSISSIPPI

Annie L. Womack, Annetta.  
Sarah L. Brewer, Steens.

#### NORTH CAROLINA

Sallie M. Brigmon, Barnardsville.  
Don P. Steed, Candor.  
Alice T. Clarke, Columbus.  
Claude M. Schell, Conover.  
Clen R. Heath, Cove City.  
Myrtle U. Wall, Knightdale.  
William Lee Shoaf, Linwood.  
Frances M. Todd, Plumptree.  
Bessie Caudill, Roaring River.  
Marvin J. Carver, Rougemont.  
Nettie M. Millis, Sneads Ferry.  
Daniel R. Bulla, Sophia.  
Ethelyn G. Hawes, Supply.  
Carl D. Moore, Mount Ulla.  
Anna L. McNeill, Wade.  
Rube S. Hood, Welch Cove.  
Basil D. Barr, West Jefferson.

#### NORTH DAKOTA

Elder G. Ottis, Abercrombie.  
Oliver C. Sogard, Alamo.  
Amelia K. Martin, Goodrich.  
James B. McMillen, Hampden.  
James R. Brown, Heaton.  
Shirley M. Cascaden, York.

#### OKLAHOMA

J. Lloyd McLinn, Indianola.  
Leona M. Hilliary, Medicine Park.  
Thomas O. Talla, Sterling.

#### PENNSYLVANIA

John M. Jones, Allentown.  
Thomas J. Murphy, Ashville.  
Harold Doering, Bethayres.  
H. Vincent Miller, Bird in Hand.  
Margaret Darras, Bulger.  
Mildred V. Miller, Chadds Ford.  
Elmer L. Russell, Cokeburg.  
Loren R. Judson, Columbia Cross Roads.  
Pauline M. Barry, Custer City.  
Anna M. Warner, Derrick City.  
Hope B. Sterner, Dewart.  
Mary C. Shaefer, East Freedom.  
Walter W. Raub, Edinburg.  
Lawrence E. Barry, Elwyn.  
Ethel M. Krug, Emeigh.  
Charlotte S. Clemens, Fallsington.  
Bernard M. Schupp, Fryburg.  
Jennie T. Rauch, Geneva.  
Lula Withrow, Glenwillard.  
Earl M. Rynier, Gordonville.  
Ruth R. Stiely, Gratz.  
Reginald S. Feather, Hadley.  
George C. Shick, Hawthorn.  
Arthur Chattaway, Hazzard.  
Engelbert J. Dittmer, Herman.  
Rachel M. Thurston, Iselin.

Hiram Greenland, Karthaus.  
Edward Dworak, Kelayres.  
Frank C. Gutekunst, Kintnersville.  
Walter H. Davis, Klingerstown.  
Carroll G. Reynolds, Lakewood.  
Helen F. Sheehan, Landenburg.  
Fred W. Patterson, Lattimer Mines.  
Elen Nora Robinson, Lloydell.  
Edgar J. Burkett, Manns Choice.  
Katherine M. Norton, Marsteller.  
William D. Kelvington, Meadow Lands.  
Rebecca Campbell, Midway.  
Manning J. O'Connor, Mineral Point.  
Pearl M. Severns, Neshaminy.  
Edwin Zimmerman, Newmanstown.  
Ralph B. Fields, Newton Hamilton.  
Mabel Helen Craig, Noblestown.  
Charles E. Robacker, Penfield.  
Noah B. Becker, Perkiomenville.  
Nellie R. McNamee, Pomeroy.  
Alice D. Traub, Richboro.  
William F. Shuman, Rixford.  
Edna M. Huston, Robinson.  
Robert D. Hoffecker, Ronks.  
Harry Y. Adams, Rothsville.  
Viola Cleland, Rutledge.  
Beaver Cornelius, Saltito.  
Edith M. Frey, South Heights.  
Anna E. Astle, Stockdale.  
Emile A. Rank, Sturgeon.  
Roland D. Helle, Transfer.  
George Acker, Venango.  
Ruth E. Funk, Washington Boro.  
Edward S. Bookheimer, West Point.  
Gertrude A. Burns, Winfield.  
Robert V. S. Snyder, Wood.  
J. George Keeler, Wyalusing.

## HOUSE OF REPRESENTATIVES

TUESDAY, NOVEMBER 28, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite Spirit, God over all, we pray Thee that soon, ah, soon, this world may be released from the appalling grip of despotic masters. Too long have their deadly ministries held captive Thy children and thus caused the heaven-born virtues of the soul to languish and die. O stay Thou their unparalleled cruelties which are benumbing man's best powers and speed the crusade of deliverance until chivalrous benevolence shall cover the earth as the waters cover the sea.

Blessed Lord, today the heart of every lover of liberty and true brotherhood throughout the appealing world goes out in prayerful hope for our peerless Secretary of State. For the affection we bear him, we pray that this strong, noble servant, wise and firm in counsel and just in decision, may be spared to the cause of humanity to which he has given so many years of devotion. May he continue to live and labor in the vanguard of the onward march toward the final triumph of justice over slavery and of good over evil, inspiring us in our thoughts and deeds as he beholds the widening of the pathways of earth's millions—the fruition of his great soul. Grant him, dear Lord, Thy divine tenderness, that all his paths may be paths of peace, and Thine shall be the glory. In the name of our Elder Brother. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 262. An act for the relief of Mrs. J. C. Romberg;

H. R. 1318. An act for the relief of Jack V. Dyer;

H. R. 1654. An act to authorize the acquisition, rehabilitation, and operation of the facilities for the public in the Olympic National Park, in the State of Washington, and for other purposes;

H. R. 1665. An act for the relief of Joseph Paste, Anna Paste, Rose Paste, and to the legal guardian of Doris Paste, and to the legal guardian of Evelyn Paste;

H. R. 1919. An act for the relief of Vannie Butler;

H. R. 2512. An act for the relief of Betty Robins;

H. R. 2601. An act for the relief of Mrs. Flossie Leaser;

H. R. 2896. An act for the relief of Mr. and Mrs. R. L. Rhodes;

H. R. 3373. An act for the relief of Dewey H. Davis;

H. R. 3495. An act for the relief of Constantino Arguelles;

H. R. 3548. An act for the relief of Mr. and Mrs. Robert W. Nelson and W. E. Nelson;

H. R. 3608. An act relating to certain overtime compensation of civilian employees of the United States;

H. R. 3750. An act to provide for the appointment of an additional circuit judge for the third circuit, and to permit the filling of the first vacancy occurring in the office of district judge for the eastern district of Pennsylvania;

H. R. 3753. An act for the relief of the legal guardian of Virginia McMillan, a minor, and Howard McMillan;

H. R. 4024.—An act for the relief of Victoria Cormier;

H. R. 4099. An act to extend the period of the Philippine Insurrection so as to include active service with the United States military or naval forces engaged in hostilities in the Moro Province, including Mindanao, or in the islands of Samar and Leyte, between July 5, 1902, and December 31, 1913;

H. R. 4226. An act for the relief of the legal guardian of William L. Owen, a minor;

H. R. 4439. An act for the relief of Dennis C. O'Connell;

H. R. 4929. An act for the relief of Lt. James H. Clark and Eleanor Clark;

H. R. 4999. An act to increase the service-connected disability rates of pension for certain Regular Establishment veterans and veterans of wars prior to World War I;

H. R. 5041. An act to amend the Veterans Regulations;

H. R. 5232. An act to transfer jurisdiction over the Chattanooga National Cemetery, Chattanooga, Tenn., from the Department of the Interior to the War Department, and for other purposes; and

H. R. 5289. An act to provide for the acceptance and protection by the United States of property within the authorized boundaries of the Everglades National Park project, Florida, pending the establishment of the park, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 86. An act to grant pensions to certain unmarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26, 1905;

H. R. 837. An act to restore and add certain public lands to the Uintah and Ouray Reservation in Utah, and for other purposes;

H. R. 2825. An act for the relief of Sigfried Olsen, doing business as Sigfried Olsen Shipping Co.;

H. R. 3732. An act to repeal the prohibition against the filling of a vacancy in the office of district judge in the district of New Jersey;

H. R. 4065. An act further defining the number and duties of criers and bailiffs in United States courts and regulating their compensation;

H. R. 4366. An act for the relief of Alex Wylie, and the estate of James Evans; and

H. R. 4917. An act conferring upon the State of Montana authority to exchange for other lands certain lands selected by the State of Montana for the use of the University of Montana for biological station purposes pursuant to the Act of March 3, 1905 (33 Stat. 1080).

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 209. An act authorizing the conveyance of certain property to the State of North Dakota;

S. 1581. An act to authorize the Secretary of War to acquire lands and provide facilities to replace Indian fishing grounds submerged or destroyed as a result of the construction of the Bonneville Dam;

S. 1740. An act conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claims of Marjorie E. Drake, Edith Mae Drake, Minnie L. Bickford, and Irene M. Paolini;

S. 1756. An act for the relief of William Luther Thaxton, Jr., and William Luther Thaxton, Sr.;

S. 1819. An act to repeal the acts of August 15, 1935, and January 29, 1940, relating to the establishment of the Patrick Henry National Monument and the acquisition of the estate of Patrick Henry, in Charlotte County, Va.;

S. 1898. An act to amend section 99 of the Judicial Code, as amended, so as to change the term of the District Court for the District of North Dakota at Minot, North Dakota;

S. 1899. An act conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claim of Alfred Files;

S. 1900. An act conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claim of the estate of Bertha L. Tatrault;

S. 1958. An act for the relief of fire district No. 1 of the town of Colchester, Vt.;

S. 1960. An act for the relief of Clifford E. Long and Laura C. Long;

S. 1962. An act extending the provisions of Public Law 47, Seventy-seventh Congress, as amended, to reemployment committeemen of the Selective Service System;

S. 1958. An act for the relief of Elizabeth A. Becker;

S. 1993. An act for the relief of the estate of Joseph B. Gowen and Ruth V. Gowen;

S. 2006. An act for the relief of J. A. Davis;

S. 2064. An act for the relief of Richard H. Beall;

S. 2168. An act for the relief of certain disbursing officers of the Army of the United States, and for other purposes;

S. 2194. An act authorizing appropriations for the United States Navy for additional ordnance manufacturing and production facilities, and for other purposes; and

S. J. Res. 156. Joint resolution to extend the statute of limitation in certain cases.

The message also announced that the Senate agrees to the amendment of the